(Smt. GRACE TUCKER)

down. I may say in this connection that in old Mysore area, we collect sports and R. R. funds and credit the same in the Bank. They are not able to use this money till the D.P.I. or Government allow them to use the money for whatever they have budgeted for. Sometimes, some requests are turned down. But in most cases, these requests are permitted. But in certain cases, they hold up the requests.

I think there should be no objection to that. If it is left to the hands of the heads of institutions, there may not be strict way of operating upon these funds for the specific purpose. So, a procedure will be laid down and it will not be a question of topmost authority having their funds in their hands and not allotting it for the purpose. With these few words, I hope the Bill will be accepted by the House.

Sri B. HUCHE GOWDA.—What is the amount at the credit of the sports fund in the old Mysore area?

MR. SPEAKER.—The Hon'ble Minister has just now mentioned that the amount is not utilised and an assurance is given. We are now solving a technical difficulty because it is a common fund.

Sri C. J. MUCKANNAPPA.—May I know who will be authorised to operate upon the account?

Smt. GRACE TUCKER.—The heads of the schools will be authorised to draw the funds with the approval of the heads of District School Board and the Chairman and Administrative Officer, as is done in old Mysore area.

MR. SPEAKER.—The question is:

"That the Bombay Primary Education (Mysore Amendment) Bill, 1962, be taken into consideration."

The motion was adopted.

MR. SPEAKER.—The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

MR. SPEAKER.—The question is:

"That clause 1, the Title and the Preamble stand part of the Bill."

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to Pass.

Smt. GRACE TUCKER: I move:

"That the Bombay Primary Education (Mysore Amendment) Bill, 1962, be passed."

MR. SPEAKER.—The question is:

"That the Bombay Primary Education (Mysore Amendment) Bill, 1962, be passed.

The motion was adopted.

THE MYSORE MUNICIPAL LAWS (AMENDMENT) BILL, 1962.

Motion to Consider.

MR. SPEAKER.—So far, the Hon'ble Members who have participated in the discussion on the above Bill are:

Sri V. S. Patil.
Sri M. Srinivasa Nayak.
Sri Puttiah.
Sri G. Veerappa.
Sri A. Krishniah Shetty.
Sri B. Lakkappa.
Sri B. R. Sunthankar.

There are 32 amendments. We will now have further discussion.

(Sri L. B. Birje stood up).

SRI K. PUTTASWAMY (Minister for Municipal Administration).— Now, Sri Birje will begin to speak in Marathi and it will be difficult to understand him.

MR. SPEAKER.—I cannot help it. You ask somebody in the cabinet to help you.

Sri L. B BIRJE (Khanapur).— *Spoke in Marathi.*

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ (ಸಿರಾ).—ಸ್ವಾಮಿ, 1962ನೇ ಇಸವಿಯ ಮೈಸೂರು ಮುನಿಸಿಪಲ್ ಲಾಸ್ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಬಿಲ್ಲಿನಿಂದ ಈವೊತ್ತು ಅಪಘಾತವಾದಷ್ಟು ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೆ ಕುಠೀರ ಪ್ರಾಯವಾದದ್ದು ಇನ್ನೊಂದು ತಿದ್ದು ಪಡಿ ಇಲ್ಲ ಎಂದು ನಾನು ಸರ್ಕಾರಕ್ಕೆ ಮನವರಿಕೆ ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದು ಎದ್ದು ನಿಂತಿದ್ದೇನೆ. ನಾವು ಅಧಿಕಾರವನ್ನು ವಿಕೇಂದ್ರಿಕರಣ ಮಾಡಬೇಕು, ಸಾಮಾನ್ಯ ಪ್ರಜೆಗಳನ್ನು ಪ್ರಜಾಪ್ರಭುತ್ವದ ಆಡಳಿತದ ಮಟ್ಟಕ್ಕೆ ಏರಿಸಬೇಕು, ಜನಗಳಿಗೆ ಮಾರ್ಗದರ್ಶನ ಮಾಡಬೇಕು, ಅನೇಕ ಅಭಿವೃದ್ಧಿ ಕಾರ್ಯಗಳನ್ನು ಮಾಡಬೇಕು, ಪಂಚಾಯಿತಿ ರಾಜ್ಯವನ್ನು ಸ್ಥಾಪನೆಮಾಡಬೇಕೆಂದು ತಾಲ್ಲೂಕು ಬೋರ್ಡ್‌ಗಳನ್ನು ಸ್ಥಾಪನೆ ಮಾಡಿದರು.

MR. SPEAKER.—Now the House will rise and meet after half an hour.

House adjourned for recess at Three of the Clock and re-assembled at Thirty Minutes past Three of the Clock.

[MR. SPEAKER in the Chair].

ಶ್ರೀ ಸಿ. ಜೆ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಸ್ವಾಮಿ ನಾನೀಗತಾನೆ ತಮ್ಮ ಮುಖಾಂತರ ಸರ್ಕಾರದವರಿಗೆ ಮನವಿಮಾಡಿಕೊಳ್ಳುತ್ತಾ ಇದ್ದೆ. ಯಾರು ಈ ಪ್ರಜಾಪ್ರಭುತ್ವ ಬೆಳೆಸಬೇಕೆಂದು ದುಡಿದರೋ ಅಂಥವರ ಕೈಯಲ್ಲೇ ಈ ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೆ ಕೊಡಲಿ ಪೆಟ್ಟು ಬೀಳುತ್ತಾ ಇದೆಯಲ್ಲಾ ಎಂದು ಹೇಳಿ ನಾನು ಬಹಳ ವ್ಯಥೆಪಟ್ಟುಕೊಂಡು ಸರ್ಕಾರದವರಿಗೆ ಹೇಳುತ್ತೇನೆ. ಇಂಥಾ ಯಾವುದೇ ಒಂದು ನೀತಿಯನ್ನು ತಾವು ತಾಳಬಾರದು. ತಾಳುವುದರಿಂದ ತಮಗೆ ಅನಾನುಕೂಲವಾಗಿರುವುದು ಮತ್ತೊಬ್ಬರಿಗೆ ಅನುಕೂಲವಾಗಿರುತ್ತದೆ ಮತ್ತೊಬ್ಬರಿಗೆ ಅನಾನುಕೂಲವಾಗಿರುವುದು ತಮಗೆ ಅನುಕೂಲವಾಗಿರಬಹುದು. ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ಬಹುಮತದಂತೆ ರಾಜ್ಯಭಾರಮಾಡುತ್ತೇವೆ ಎಂದು ಅನ್ನುವ ತಮ್ಮ ಹೇಳಿಕೆ ಪ್ರಕಾರ ತಾವು ನಡೆದುಕೊಳ್ಳಿ. ತಮ್ಮ ನೀತಿಗನುಸಾರವಾಗಿ ತಾವು ವ್ಯವಹಾರ ಮಾಡಿ ಎಂದು ಹೇಳುತ್ತೇನೆ. ಈ ಅಮೆಂಡಿಂಗ್ ಬಿಲ್‌ನಲ್ಲಿ ಏನು ಹೇಳುತ್ತಾ ಇದ್ದೀರಿ? ಎಲ್ಲಾದರೂ ಯಾರಾದರೂ ರಾಜೀನಾಮೆ ಕೊಟ್ಟರೆ ಬಹು ತೀರ ಜನ ಚುನಾವಣೆಯಲ್ಲಿ ಗೆಲ್ಲದಿದ್ದರೆ ಆಗಬಾರದು. ಆಗಿಹೋದರೆ ಅಲ್ಲಿ ಸರ್ಕಾರ ಅಂಥಾ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಅಧಿಕಾರ ಕುಸಿದುಬಿದ್ದರೆ ಅದನ್ನು ನಡೆಸುವುದಕ್ಕೆ ಈ ಅಮೆಂಡ್‌ಮೆಂಟ್ ಮಾಡುತ್ತಾ ಇದ್ದೇವೆ ಎಂದು ಹೇಳುತ್ತೀರಿ. ಇದರ ಹಿನ್ನೆಲೆ ಏನು ಎಂಬುದನ್ನು ನಮಗೆ ಅರಿವು ಮಾಡಿಕೊಡಬೇಕೆಂದು ಮನವಿ ಮಾಡುತ್ತೇನೆ. ಇವರ ಹಿನ್ನೆಲೆ ಏನೆಂದರೆ ಬೆಳಗಾಂನಲ್ಲಿ ಅವರ ಪಕ್ಷದ ಜನ ಅಧಿಕಾರಕ್ಕೆ ಬರುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ ಅದಕ್ಕೋಸ್ಕರ ಅವರಿಗೆ ಈ ಒಂದು ಕಾನೂನೂಮಾಡಿ ಏನಾದರೂ ಮಾಡಬೇಕು. ಉಡುಪಿಯಲ್ಲಿ ಅವರ ಜನ ಬರಲಿಲ್ಲ. ಅದಕ್ಕೆ ಪರಿಸ್ಥಿತಿ ಪರಿಪಕ್ವವಾಗುವವರೆಗೂ ಕಾದಿದ್ದು.

(Interruption by Sri Kolke Bail)

ಇದು ಸರಿಯಲ್ಲ ಎಂದು ಶ್ರೀಮಾನ್ ಕೊಳಕೆ ಬೈಲ್ ಅವರು ನನ್ನ ಹೇಳಿಕೆಯನ್ನು ಅಲ್ಲಗಳೆಯುವುದಕ್ಕೆ ಅವರಿಗೆ ಹಕ್ಕು ಇದೆ. ಈ ಸಭೆಯಲ್ಲಿ ಈ ವಿಷಯ ಚರ್ಚಿತವಾಗಿದೆ. ಪರಿಸ್ಥಿತಿ ಪರಿಪಕ್ವವಾಗಿದೆ ಅಂದಾಗ ನಾವು ಪ್ರವೇಶಮಾಡಲು ಒಂದು ಅವಕಾಶವಿಟ್ಟುಕೊಳ್ಳಲು ಈ ಪ್ರಯತ್ನ ನಡೆಸಿದ್ದೀರಿ. ಉಡುಪಿಯಲ್ಲಿ ಪರಿಸ್ಥಿತಿ ಪರಿಪಕ್ವವಾಗಿದ್ದಿದ್ದರೆ ಅವತ್ತಿನ ದಿವಸ ಚುನಾವಣೆಯಲ್ಲಿ ಕೈಹಾಕುತ್ತಾ ಇರಲಿಲ್ಲ. ಅದೇ ರೀತಿ ಈಗ ದಾವಣಗೆರೆಯಲ್ಲಿ show cause notice ಕೊಟ್ಟಿದ್ದೀರಿ. ಆ ಮುನಿಸಿಪಾಲಿಟಿಯನ್ನು ಸೂಪರ್ ಸೀಡ್ ಮಾಡಿ, ಅಲ್ಲಿ ಒಬ್ಬ ಆಡ್ಮಿನಿಸ್ಟ್ರೇಟರೋ ಅಥವಾ ಅಡ್ವೈಸರಿ ಬಾಡಿಯನ್ನೋ ನೇಮಕಮಾಡಿ ವ್ಯವಹಾರ ಮಾಡಬೇಕೆಂದು ಇದ್ದೀರಿ. ನನಗಾದರೂ ಅನ್ನಿಸುತ್ತದೆ ನಿಮ್ಮ ಕೈಯಲ್ಲಿ ಕಾನೂನೂ ಮಾಡುವುದಕ್ಕೆ ಅಧಿಕಾರವಿರುವುದರಿಂದ ತಾವು ಎಷ್ಟು ದೂರ ಹೋಗುತ್ತೀರಿ ಎಂಬುದನ್ನು ವಿಧಿ ಇಲ್ಲದೇ ಹೇಳಬೇಕಾಗಿದೆ. ಒಂದು ತಾಲ್ಲೂಕು ಬೋರ್ಡ್, ಒಂದು ಪಂಚಾಯ್ತಿ, ಒಂದು ಮುನಿಸಿಪಾಲಿಟಿ, ಒಂದು ಕಾರ್ಪೊರೇಷನ್ ಎಲ್ಲೇ ಆದರೂ ತಮ್ಮ ಇಚ್ಛೆ ಬಂದಂತೆ ತಮ್ಮ ಇಚ್ಛೆಗನುಗುಣವಾಗಿ ನಡೆಯದೇ ಇರುವ ಜನರು ಯಾರಾದರೂ ಇದ್ದರೆ ಅವರನ್ನು ಏನಾದರೂ ಮಾಡಿ ತೆಗೆಯುವುದಕ್ಕೆ ಕಾರ್ಯಕ್ರಮ ತೆಗೆದುಕೊಂಡು ಅವರನ್ನು ತೆಗೆದುಹಾಕಲು ಕಾನೂನು ಮಾಡುತ್ತೀರಿ. ಇಂಥಾ ಒಂದು ಕಾನೂನನ್ನು ತಮ್ಮ ಕೈಯಲ್ಲಿ ಕೊಟ್ಟಿದ್ದೇವೆ. ಅಸೆಂಬ್ಲಿ ಸೀಟಿಗೆ ಮಾತ್ರ ನಾಮಿನೇಷನ್ ಮಾಡುವುದಕ್ಕೆ ಅದೂ ಇಲ್ಲಿ ಇಡುವುದಕ್ಕೆ ತಮಗೆ ಅಧಿಕಾರವಿಲ್ಲ. ಅದು ಒಂದು ಮಾತ್ರ ಇದ್ದಿದ್ದರೆ ಈ ಕಡೆಯಲ್ಲಿ ಬರುತ್ತಾ ಇದ್ದ ಬಹುತೇಕ ಜನ ಬರದಂತೆ ಮಾಡಿ ತಮ್ಮವರನ್ನೇ ತುಂಬುವುದಕ್ಕೆ ಪ್ರಯತ್ನ ಮಾಡುತ್ತಾ ಇದ್ದಿರಿ ಎಂಬ ಭಯ ಬರುತ್ತಾ ಇದೆ. ಏಕೆ ಹೇಳುತ್ತೇನೆ ಎಂದರೆ ಪರಿಸ್ಥಿತಿ ಇವತ್ತಿನ ದಿವಸ ಎಂತಾದ್ದು ಇದೆ? ಇಂಥಾ ಗಂಭೀರವಾದ ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ, ಈ ಗಂಭೀರ ಪರಿಸ್ಥಿತಿಯನ್ನು ಎದುರಿಸತಕ್ಕ ಕಾನೂನನ್ನು ತೆಗೆದುಕೊಂಡು ಬಂದರೆ ಮನಸ್ಸು ಇಲ್ಲದೇ ಇದ್ದರೂ ಕೂಡ ನಿಮ್ಮ ಜೊತೆಯಲ್ಲಿ ಕೈಸೇರಿಸುವುದಕ್ಕೆ ಖಂಡಿತವಾಗಿಯೂ ನಮಗೆ ಇಚ್ಛೆ ಇದೆ. ಆದರೆ ಇವತ್ತಿನ ದಿವಸ ನೀವು ಬೇರೆ, ನಾವು ಬೇರೆ. ಈ ವರ್ಷವೇ ಬೇರೆ ಆ ವರ್ಷವೇ ಬೇರೆ ಅಂತ ಹೇಳಿ ಈ ತರ್ತು ಪರಿಸ್ಥಿತಿಯಲ್ಲೂ ಕೂಡ ಇಭ್ಭಾಗಮಾಡಿ ಬೇರೆ ಬೇರೆ ಅಂತ ಕಾಣತಕ್ಕ ಕಾನೂನು ತಂದು ಆ ಮುನಿಸಿಪಾಲಿಟಿ ನನ್ನ ಕೈಯಲ್ಲಿದೆ, ಈ ಮುನಿಸಿಪಾಲಿಟಿ ನನ್ನ ಕೈಯಲ್ಲಿದೆ, ಆ ಮುನಿಸಿಪಾಲಿಟಿ ನನ್ನ ಕೈಗೆ ಬರುವುದಿಲ್ಲ ಬರದಿದ್ದರೆ ರಾಜಕೀಯ ಕೆಟ್ಟು ಹೋಗುತ್ತದೆ ಅಂತ ಹೇಳಿ ಇಂಥಾ ಕಾನೂನನ್ನು ತರುವುದು ಸರ್ವಥಾ ಸರಿಯಲ್ಲ, ನ್ಯಾಯವಲ್ಲ ಈ ವಾಮಮಾರ್ಗ ಹಿಡಿದಿರುವುದನ್ನು ತ್ಯಜಿಸಬೇಕೆಂದು

(ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ)

ಈಗತಾನೆ ಪೌರ ಆಡಳಿತ ಶಾಖೆಯನ್ನು ವಹಿಸಿಕೊಂಡಿರತಕ್ಕ ಮಾನ್ಯ ಸ್ನೇಹಿತರಾದ ಶ್ರೀಮಾನ್ ಪುಟ್ಟಸ್ವಾಮಿಯವರನ್ನು ವಿನಯದಿಂದ ಪ್ರಾರ್ಥನೆ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

ಈ ಬಿಲ್ಲನ್ನು ವಾಪಸ್ಸು ತೆಗೆದುಕೊಂಡರೆ ನಿಮಗೂ ನಮಗೂ ಒಳ್ಳೆಯದಾಗುತ್ತದೆ. ನೀವು ಇದಕ್ಕೆ ಅಂಗೀಕಾರ ಪಡೆದುಕೊಳ್ಳುತ್ತೀರೆಂಬುದು ನನಗೆ ಗೊತ್ತಿದೆ. ನಿಮ್ಮ ಪಕ್ಷದ ಸದಸ್ಯರು 138 ಜನರಿದ್ದಾರೆ. ನಾವು 60 ಜನ ಕೈ ಎತ್ತಿದ್ದರೂ ಬಿಲ್ಲು ಪಾಸಾಗುತ್ತದೆ. ಮೈಸೂರು ಹೈಕೋರ್ಟ್ ಬೆಳಗಾವಿ ಮುನಿಸಿಪಾಲಿಟಿ ಚುನಾವಣೆ ವಿಚಾರದಲ್ಲಿ ಏಕೆ ಚುನಾವಣೆ ನೋಡಿಲ್ಲ ಎಂದು ಟೀಕಿಸಿದ್ದರೂ ಇದುವರೆಗೆ ಸರ್ಕಾರ ಕೈಕೊಂಡಿರುವ ಕ್ರಮ ನೋಡಿದರೆ ಲಜ್ಜೆಯಾಗುತ್ತದೆ. ಸರ್ಕಾರದ ಇದುವರೆಗೆ ನಿಧಾನ ಮಾಡಿರುವುದೇ ಸಾಕು, ಕೂಡಲೇ 1–1½ ತಿಂಗಳೊಳಗಾಗಿ ಬೆಳಗಾವಿ ಪುರಸಭೆ ಚುನಾವಣೆ ನಡೆಸಬೇಕು ಎಂದು ಹೈಕೋರ್ಟ್ ಆದೇಶ ಕೊಟ್ಟರೂ, ಈ ಕಾನೂನನ್ನು ಶಾಸನಕಡತಕ್ಕೇರಿಸಿದರೂ ನೀವು ಚುನಾವಣೆ ಮಾಡುವುದಿಲ್ಲ. ಈ ದೇಶ ನಡೆಸುವ, ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ಪ್ರತಿಬಿಂಬಿಸುವ ಸರ್ಕಾರ ವಯಸ್ಕರ ಓಟು ಪಡೆದು ಪೌರಸಭೆಯ ಆಡಳಿತ ನಡೆಸಲು ಅರ್ಹರಾದವರನ್ನು ಚುನಾಯಿಸದೆ ಅಡ್ಡದಾರಿ ಹಿಡಿದಿದೆ. ಇದು ಸರ್ವಥಾ ನ್ಯಾಯವಲ್ಲ, ಇಂಥ ಕೆಲಸಕ್ಕೆ ಕೈ ಹಾಕಬಾರದು ಎಂದು ತಮಗೆ ಹೇಳುತ್ತೇನೆ.

ದಾವಣಗೆರೆಯಲ್ಲಿ ಹಿಂದಿನ ಪ್ರೆಸಿಡೆಂಟ್ ಮತ್ತು ವೈಸ್ ಪ್ರೆಸಿಡೆಂಟ್ ಇದ್ದಾಗ ರೂಲ್ ಸಿಂಧುವಾಗಿತ್ತು. ನಿಮ್ಮ ವಿರುದ್ಧ ಪಕ್ಷದವರು ಬಂದು ಚುನಾವಣೆಯಲ್ಲಿ ಗೆಲ್ಲುತ್ತಾರೆಂದಾಗ ರೂಲ್ ಸಿಂಧುವಲ್ಲ ಎಂಪು ಮಾಡಿದಿರಿ. ಚುನಾವಣೆ ನಡೆಯುವಾಗ ಕೋರ್ಟಿನ ಆದೇಶ, ಸ್ಟೇ ಆರ್ಡರು ಇದೆಲ್ಲಾ ಬಂದಿರುವುದನ್ನು ನೋಡಿದರೆ ಏನು ಬೇಕಾದರೂ ಕೊಡಲು ನಿಮಗೆ ಸಾಧ್ಯ ಎಂದು ಅರ್ಥವಾಗುತ್ತದೆ. ನಾಳೆ ಬೆಳಿಗ್ಗೆ ಹತ್ತುಗಂಟೆಗೆ ಅಧ್ಯಕ್ಷರ ಚುನಾವಣೆ ನಡೆಯಬೇಕಾದರೆ ಈ ದಿನ ರಾತ್ರಿ 9 ಗಂಟೇಗೆ ಟೆಲಿಗ್ರಾಂ ಹೋಗುತ್ತದೆ. ಆ ಮೇಲೆ ಸ್ಟೇ ಆರ್ಡರ್—ಚುನಾವಣೆ ನಡೆಸಬಾರದು, ಕಾನೂನಿಗೆ ವಿರುದ್ಧ, ರೂಲ್ ಸಿಂಧುವಾಗಿಲ್ಲ ಎಂದು.

Sri K. PUTTASWAMY.— Who issued the stay order ? Is it the Government or the High Court ?

ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ನನಗೆ ಸರಿಯಾಗಿ ಗೊತ್ತಿಲ್ಲ.

Sri K. PUTTASWAMY.— May I bring to the notice of the Hon'ble House that it was not the Government which issued the stay order, but at the instance of the High Court, the election was stayed ?

ಶ್ರೀ ಸಿ. ಜಿ. ಮುಕ್ಕಣ್ಣಪ್ಪ.—ಹೈಕೋರ್ಟ್ ಸ್ಟೇ ಆರ್ಡರ್ ಕೊಟ್ಟಿದ್ದರೆ ಅದರ ಮೇಲೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಅಧಿಕಾರವಿಲ್ಲ. ಆ ವಿಚಾರ ಇಲ್ಲಿಗೇ ನಿಲ್ಲಿಸುತ್ತೇನೆ.

ಚುನಾವಣೆ ವಿಚಾರ ಸುಪ್ರೀಂ ಕೋರ್ಟಿಗೆ ಹೋಯಿತು. ಆ ಕೋರ್ಟಿನವರು ಈಗ ಮಾಡಿರುವುದು ಸರಿಯಲ್ಲ, ನ್ಯಾಯವಲ್ಲ, ರೂಲ್ ಹೊಸದಾಗಿ ಮಾಡಿ ಚುನಾವಣೆ ನಡೆಸಬೇಕು. ಎಂದು ತಿಳಿಸಿದರು. ನಂತರ ಆದರಂತೆ ಚುನಾವಣೆ ನಡೆಯಿತು. ಆದೇ ಇವತ್ತು ಅಧಿಕಾರ ಸ್ಥಾನದಲ್ಲಿರುವ ಅಧ್ಯಕ್ಷರನ್ನು ಗದ್ದುಗೆಯಿಂದ ಕೆಳಕ್ಕಿಳಿಸಲು ಪರೋಕ್ಷವಾಗಿ ಸರ್ಕಾರ ಕೈಚಳಕ ನಡೆಸಿ ಅವರಿಗೆ ಒಂದು ನೋಟೀಸ್ ಕೊಡಿಸಿದೆ. ಮುನಿಸಿಪಾಲಿಟಿಯ ಹಣಕಾಸಿನ ಪರಿಸ್ಥಿತಿ, ಆಡಳಿತ ಸರಿಯಾಗಿಲ್ಲ. ರೇಟ್‌ಪೇಯರ್ಸ್ ಹಿತ ನಿಮ್ಮ ಕೈಲಿ ಸುಖವಾಗಿರುವುದಿಲ್ಲ ಎಂದು ಸರ್ಕಾರದವರಿಗೆ ಬೇಕಾದ ಜನ ಅನೇಕ ವರ್ಷಗಳಿಂದ ದಾವಣಗೆರೆ ಮುನಿಸಿಪಾಲಿಟಿಯಲ್ಲಿದ್ದರು. ಈಗ ತಮ್ಮವರ ಕೈತಪ್ಪಿರುವುದರಿಂದ ತಮ್ಮವರನ್ನು ಅಧಿಕಾರಸ್ಥಾನದಲ್ಲಿ ಕೂಡಿಸಬೇಕೆಂದು ಮನಸ್ಸುಮಾಡಿ ಈ ರೀತಿ ಮಾಡುತ್ತಿದ್ದಾರೆ. ಇದು ಬೇಡ, ತರವಲ್ಲ. ಮತ್ತೊಂದು ವಿಚಾರ ನೋಡಬೇಕು. ಬೆಂಗಳೂರು ಸಿಟಿ ಕಾರ್ಪೊರೇಷನ್ ವ್ಯವಹಾರ, ಹೆಲ್ತ್ ಆಫೀಸರ್ ವಿಷಯ ಒಬ್ಬರೇ ಕಾರ್ಪೊರೇಷನ್ ಕಮಿಷನರ ವಿಷಯ, ಈ ಸಂಬಂಧದಲ್ಲಿ ಸರ್ಕಾರ ಮತ್ತು ಕಾರ್ಪೊರೇಷನ್‌ಗೆ ನಡೆದ ವ್ಯವಹಾರ ನೋಡಿದರೆ ಒಬ್ಬ ವ್ಯಕ್ತಿಗಾಗಿ ಸರ್ಕಾರ ಮಾನ ಮರ್ಯಾದೆ ಬಿಟ್ಟು ಕೆಲಸ ನಡೆದಿದೆ. ನಾನೇ ನಿಮ್ಮ ಸ್ಥಾನದಲ್ಲಿದ್ದರೆ ಕಾರ್ಪೊರೇಷನ್ ಸೂಪರ್‌ಸೀಡ್ ಮಾಡುತ್ತಿದ್ದೆ. 1958 ರಿಂದ 1962 ರ ವರೆಗೆ ಹೊಸದಾಗಿ ಚುನಾವಣೆ ನಡೆದ ಮೇಲೆ ನಾಲ್ಕು ವರ್ಷಗಳ ವರೆಗೆ ಬೆಂಗಳೂರು ಕಾರ್ಪೊರೇಷನ್ ಆಡಳಿತ ಅಗ್ನಿಕುಂಡದಲ್ಲಿ ಬಿದ್ದಿದೆಯೆಂದು ಕೇಳಿದ್ದೇವೆ. ಹಾಗಿರುವಾಗ ಏಕೆ ಸುಮ್ಮನಿದ್ದರು ? ತಮ್ಮವರೇ ಮೇಯರು, ಡಿಪ್ಯೂಟಿ ಮೇಯರಿದ್ದಾರೆಂದು ಆ ವಿಚಾರದಲ್ಲಿ ಕೈಹಾಕಲಿಲ್ಲ. ಆದೇ ಬೆಳಗಾವಿ, ಉಡುಪಿ ಮತ್ತು ದಾವಣಗೆರೆಗಳಲ್ಲಿ ತಮ್ಮವರಿಲ್ಲ, ತಾವು ಕೈ ಹಾಕಿದಿರಿ. ನಾಲ್ಕೈದು ವಿಷಯ ಹಿನ್ನೆಲೆ ಮಾಡಿಕೊಂಡು ಸಮಗ್ರ ಮೈಸೂರು ದೇಶಕ್ಕೆಲ್ಲಾ ಒಂದು ತಿದ್ದುಪಡಿ ಮಸೂದೆಯನ್ನು ತರುವುದು ಸರ್ವಥಾ ನ್ಯಾಯವಲ್ಲ. ಈ ದಿವಸ ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ದಮನಮಾಡುತ್ತಿರುವುದು ಸರಿಯಲ್ಲ. ಈ ತುರ್ತು ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಈ ವಿಷಯವನ್ನು ಕೈಬಿಡಬೇಕು ಎಂದು ಹೇಳುತ್ತೇನೆ. ಈಗ ನಿಜವಾಗಿಯೂ ಕಾನೂನು ಮಾಡಬೇಕಾದರೆ ಎಲ್ಲ ಪೌರ ಸಭೆಗಳಿಗೂ ಅನ್ವಯವಾಗುವ ಒಂದು ಯೂನಿಫಾರಂ ಕಾನೂನನ್ನು ಮಾಡಿ, ನಮ್ಮ ಮುಂದಿಡಬೇಕು. ಈ ಬಿಲ್ಲನ್ನು ಷೆಲ್ವ್ ಮಾಡಿ ಹೊಸ ಬಿಲ್ಲನ್ನು ತಂದು ಈ ಸಭೆ ಪೂರ್ಣವಾಗಿ ಚರ್ಚೆ ಮಾಡಿದ ಮೇಲೆ ಇಕ್ಕಟ್ಟು ಸರ್ಕಾರಕ್ಕೆ ಬರಬಹುದು. ಉಕ್ಕಟ ಪರಿಸ್ಥಿತಿ ಬಂದಾಗ ಉಪಯೋಗಮಾಡಿಕೊಳ್ಳಲು ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರವಿರಬೇಕು ಎಂದು ಕಂಡುಬಂದರೆ ಆಗ ಇಂಥ ಒಂದು ಕಲಮು ಇರಬೇಕೆಂದರೆ ಯೋಚನೆ ಮಾಡಬಹುದು. ಇವತ್ತು ಈ ರೀತಿ ಒಂದು ತಿದ್ದುಪಡಿ ಕಾನೂನು ತಂದು ಶಾಸನಮಾಡಿ ಅದರ ಮೂಲಕ

ಅಧಿಕಾರ ಪಡೆಯಬೇಕು ಎಂಬ ಉದ್ದೇಶ ಪಟ್ಟಿರುವುದು ನಿಜವಾಗಿಯೂ ಸರಿಯಲ್ಲ. ಈ ದಿವಸ ಈ ಸಭೆಯಲ್ಲಿ ಎಲ್ಲರೂ ಒಂದು ಭಾವನೆಯಿಂದ ತುರ್ತು ಪರಿಸ್ಥಿತಿಯಲ್ಲಿ ಮುಂದುವರಿಯುತ್ತಿರುವಾಗ ನಿರ್ಮಲ ಮನಸ್ಸಿನಿಂದ ಈ ವಿಷಯವನ್ನು ಇಲ್ಲಿಗೇ ಕೈಬಿಡುವುದು ಒಳ್ಳೆಯದು ಎಂದು ಪೌರಾಡಳಿತ ಸಚಿವರಲ್ಲಿ ಅರಿಕೆ ಮಾಡಿ ನನ್ನ ಮಾತನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

†Sri B. P. KADAM (Karwar).—Sir, is there Democracy and whether the Preachers really mean democracy which they preach is very doubtful. But, we confess that democracy is preached at all stages and sermons from all platforms and we also preach that power must be decentralised and we must have a four pillar state.

Municipalities or taluka boards must have abundant power is said at one breath, but at another breath they show the tendency of dictatorial power, which is a peculiar characteristic of this Government. Under this amending Bill, what is exactly sought for is the trampling of democracy and to have dictatotial power in one form or the other. Under this bill, this Government wants to throttle the opposition in all sectors. Wherever independents have fought and gained seats from the Congress party, there the opposition is sought to be trampled. My predecessor Mr. Muckannappa referred to certain Municipalities. I will only refer to the Belgaum municipality.

Mr. SPEAKER.—How do you say that you are the successor of Sri Muckannappa ?

(*Laughter*).

Sri B. P. KADAM.—I meant the Hon'ble Member who preceded me and not my predecessor. At Udipi, Davangere and Belgaum, it seems that the Congress party made fervent efforts to save its face, but it is said that they suffered a rout. The Maharashtra Ekikarana Samithi has trounced the Congress in every election. The Congress and its hirelings could not even keep up their face and they were running in considerable fear and in complete discord. Now the same fate is awaiting them and no more. In a way, the President and the Vice-President are carrying on the functions and it is the sacred duty of the Government to have elections immediately. In case, elections are called for, the Government knows its fate and it will be completely bruised, mauled and broken. Now it is trying to have back-door tactics. In this amending bill it wants to have an advisory council here and there and on local municipal bodies. Sir, now, what they will do is this. They will have administrators in the places scrapping the existing administration and they will be supported by certain hirelings. It will consist of yes men in the advisory councils at all levels and these councils in one guise or the other pass certain resolutions. I must say democratically opposed to the wishes of the people. Therefore, I condemn this amending bill and say that this is a most retrograde and a most reactionary Bill and opposed to democracy. Further if this tendency is allowed, there are other places where people have expressed themselves against the policies and the wishes of the ruling party, in places like Karwar, Supa, etc. There, it is not only the taluk boards and municipalities, but the village panchayats also have stoutly stood for the rights of the people against the wishes of the Congress and against the dictation of the ruling party. If not this Minister, some other Minister will come and trample upon the aspirations of the people of the place with the help of certain hirelings, in the advisory councils in one form or the other. Therefore, I say that this must be opposed tooth and nail as it is a flagrant violation and almost an insult to democracy,

MR. SPEAKER.—Five minutes and not a single new point except that you have very strongly and warmly opposed the measure.

†Sri G. V. GOWDA (Palya).—Sir, while endorsing the views of the previous speaker, I wish to submit that so far as the amendment Bill seeking amendment to the Madras District and Municipalities Act is concerned, it is opposed to the provisions of the States Re-organisation Act, because the Madras District Municipalities Act specifically provided a three year period, and that elections should be held after three years, and it could be postponed or altered only if there are sufficient reasons in the opinion of the Government. This amending Bill seeks not only to provide a term of four years, but also to appoint an administrator which was never the intention of the Madras Legislature when it enacted that law. The provisions of the States Re-organisation Act definitely lays down that anything which would be detrimental to the interests of those areas must not be done. Therefore, I am submitting that some of these provisions are not sustainable.

Secondly, Sir, Government should have, as it had enough time, brought a uniform Bill and adopted. But so much of time has been wasted even in the last session and now. This time could have been utilised in bringing forth a uniform measure. But this has not been done. I do not understand how Government have failed in making use of the time factor. They could have had a uniform law for which there is an urgent necessity. I should seriously think whether I should say anything in regard to the Government's ignoring the time factor.

It has been pointed out how these councils would become mischievous and also it would cut the very root of democracy, because, what the Legislature enacting the Bill intended has been given the go-by by this amending Bill. They never contemplated the appointment of an administrator. I should say that the very effect and intention of the Legislature is being removed by this amending Bill. Are we justified in doing so? Under the guise of a uniform law, this could be done, but not otherwise The intentions of the Legislature which passed this Act should not be curtailed. Even the Mysore Municipalities Amending Act provided for some remedy. The Madras and the Bombay Municipalities Act provided for the continuance of the Vice-President or the President to be in charge till the elections. Therefore, I am suggesting that this way of getting amendments is unwarranted. It is mischievous and ill-conceived. I am submitting that we are not competent to take away the rights of the people unless for the purposes of securing uniformity in the matter.

† Sri SANJEEVANATHA IKALA (Suratkal).—The motive that has led this Government to bring this amending Bill is to have an administrator and an advisory council to hold office at the pleasure of the Government, and consequently the Hon'ble Minister. Because, the Minister usually used to decide about his pleasure, and thereby, as stated by the previous speaker, democratic facilities which have been contemplated by the previous Acts of the various States are given a go-by in this Bill.

MR. SPEAKER.—Sri Patil did not go to the extent of saying that the whole Bill was bad. Regarding the situation in Udipi, everbody except one Member resigned.

Sri SANJEEVANATHA IKALA.—My point is, when there is a commissioner who can hold office until elections are held, where is the necessity for having a separate administrator or an advisory council?

(SRI SANJEEVANATHA IKALA).

This is the point which I want to stress. During the last session, the Hon'ble Minister promised to bring forth a cogent Bill. Again, after two or three months, he is bringing an amending Bill. Why should he bring an Amending Bill when two months would have been sufficient to bring a Comprehensive Bill? Instead of a Comprehensive Bill, there is an Amending Bill with the promise that they will bring a Comprehensive Bill. But in another two months there may be another Amending Bill. My only point is that there is no necessity of having this measure because I do not feel any situation will arise which will necessitate the appointment of administrators or an Advisory Council. So, I urge on the Minister to withdraw this Bill and bring a comprehensive bill which we can pass. I strongly oppose this Bill.

4-00 P.M.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ. (ನಗರಾಡಳಿತ ಶಾಖೆಯ ಮಂತ್ರಿಗಳು).—ಸ್ವಾಮಿ, ಈ ಚರ್ಚೆಯಲ್ಲಿ ಭಾಗ ವಹಿಸಿದ ಮಾನ್ಯ ಸದಸ್ಯರು ಈ ಮಸೂದೆಯನ್ನು ಯಾವ ಉದ್ದೇಶದಿಂದ ಸರ್ಕಾರದವರು ತಂದಿದ್ದಾರೆ ಎನ್ನುವುದು ಸ್ವಲ್ಪ ಮರೆತ ಹಾಗೆ ಕಾಣುತ್ತದೆ. ಅನೇಕರು ಎಲ್ಲರೂ ಒಪ್ಪತಕ್ಕ ವಿಚಾರಗಳನ್ನು ಬಹಳ ಆಗ್ರಹವಾಗಿ ಮಾತನಾಡಿದ್ದಾರೆ. ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೆ ಧಕ್ಕೆ ಬರಬಾರದು. ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಸ್ವಾತಂತ್ರ್ಯಕ್ಕೆ ಅಡಚಣೆಯಾಗಬಾರದು, ಅದಕ್ಕೆ ಕೊಡಲಿ ಪೆಟ್ಟನ್ನು ಹಾಕಬಾರದು ಎನ್ನುವುದನ್ನು ಎಲ್ಲರೂ ಒಪ್ಪತಕ್ಕ ತತ್ವ. ಆದರೆ ಈ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳು ಸರಿಯಾದ ರೀತಿಯಲ್ಲಿ ಕಾನೂನು ವ್ಯಾಪ್ತಿಯೊಳಗೇ ತಮ್ಮ ಆಡಳಿತವನ್ನು ನಡೆಸುತ್ತಿದೆಯೇ ಇಲ್ಲವೇ ಎಂಬುದನ್ನು ನೋಡುವುದು ಈ ಸಭೆಯ ಪ್ರತಿನಿಧಿಯಾಗಿರತಕ್ಕ ಸರ್ಕಾರದ ಕರ್ತವ್ಯ. ಈ ಕರ್ತವ್ಯವನ್ನು ನೆರವೇರಿಸುವ ಉದ್ದೇಶದಿಂದ ಈ ಮಸೂದೆಯನ್ನು ಇಲ್ಲಿ ತಂದಿದ್ದೇವೆ. ಮಾನ್ಯ ಸದಸ್ಯರು ಈ ಮಸೂದೆಯಲ್ಲಿರತಕ್ಕಂಥ ಉದ್ದೇಶದ ವಿಚಾರವಾಗಿ ಓದಿದ್ದರೆ ಅದರ ಅರ್ಥ ಚೆನ್ನಾಗಿ ಮನದಟ್ಟಾಗುತ್ತಿತ್ತೆಂದು ನನ್ನ ಭಾವನೆ. ಉಡುಪಿ, ಬೆಳಗಾಂ ಮತ್ತು ಜಮಖಂಡಿ ಮುನಿಸಿಪಾಲಿಟಿಗಳ ವಿಚಾರವನ್ನು statement of objects and reasonsನಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿದೆ. ಈ ಮೂರು ಪೌರ ಸಭೆಗಳಲ್ಲಿಯೇ ಈ ವಿಶೇಷ ಪರಿಸ್ಥಿತಿ ಇದೆಯೆಂದಲ್ಲ. ಇತರ ಅನೇಕ ಪೌರ ಸಭೆಗಳಲ್ಲಿಯೂ ಸಹ ಇಂತಹ ಪರಿಸ್ಥಿತಿ ಬರುವುದು ಉಂಟು. ಇಂತಹ ಪರಿಸ್ಥಿತಿ ಬಂದಾಗ ಯಾವ ರೀತಿ ಅದರ ಆಡಳಿತವನ್ನು ನಡೆಸಬೇಕು ಎನ್ನುವುದಕ್ಕಾಗಿ ಸರ್ಕಾರಕ್ಕೆ ಅವಶ್ಯಕವಾಗಿ ಬೇಕಾದಂಥ ಅಧಿಕಾರವನ್ನು ಈ ಸಭೆ ಒದಗಿಸಿಕೊಡುವುದಕ್ಕಾಗಿ ಈ ಮಸೂದೆಯನ್ನು ಈ ಸಭೆಯ ಮುಂದೆ ಇಟ್ಟಿದೆ. ಇಲ್ಲಿ 7 ಕಾನೂನುಗಳ ತಿದ್ದುಪಡಿ ಬಂದಿದ್ದರೂ ಒಂದು ಕಾನೂನಿನಲ್ಲಿ ಏನು ವಿಚಾರ ಸಂಗ್ರಹಿತವಾಗಿದೆಯೋ ಅದೇ ವಿಚಾರವೇ ಎಲ್ಲಾ ತಿದ್ದುಪಡಿ ಕಾನೂನುಗಳಲ್ಲಿ ಬರತಕ್ಕದ್ದು ಆಗಿದೆ. ಯಾವ ಸಂದರ್ಭದಲ್ಲಿ ಈ ಅಡ್ಮಿನಿಸ್ಟ್ರೇಟರನ್ನು ನೇಮಿಸಬೇಕೆನ್ನುವ ವಿಚಾರ ಈ ಮಸೂದೆಯಲ್ಲಿ ಅಡಕವಾಗಿದೆ. ಅದು ಈ ರೀತಿ ಇದೆ. Any general election to a Municipality under this Act and the proceedings consequent thereon have been stayed by an order of a competent Court or authority. "ಕೋರ್ಟಿನವರು ಎಲೆಕ್ಷನ್ ನಡೆಯಕೂಡದು ಎಂದು ತಡೆ ಆಜ್ಞೆ ಕೊಟ್ಟಾಗ್ಗೆ ಸುಮಾರು 30–31 ತಿದ್ದುಪಡಿಗಳು ಬಂದಿವೆ. ಆ ತಿದ್ದುಪಡಿಗಳನ್ನು ನಾವು ಪರಿಶೀಲನೆಮಾಡಿ ನೋಡಿದರೆ ಯಾವ ತಿದ್ದುಪಡಿಯಲ್ಲೂ ಇದಕ್ಕೆ ಆಕ್ಷೇಪಣೆ ಮಾಡಲಿಲ್ಲ. ಕೆಲವು ಸದಸ್ಯರು ಈ ವಿಚಾರವಾಗಿ ಮಾತನಾಡಿದಾಗಲೂ ಸಹ ಯಾರೂ ಈ ಮಸೂದೆಯಲ್ಲಿ ಇಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಚುನಾವಣೆ ನಡೆಯುವುದಕ್ಕೆ ಅಡಚಣೆಯಾದ ವೇಳೆಯಲ್ಲಿ ಒಬ್ಬ ಅಡ್ಮಿನಿಸ್ಟ್ರೇಟರನ್ನು ನೇಮಿಸುವುದು ಸರಿಯಲ್ಲವೆಂದು ಇದುವರೆಗೆ ಹೇಳಲಿಲ್ಲ.

Sri K. LAKKAPPA (Hebbur).—Is there any provision to hold elections when the term of Council expires under the Act of 1925?

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ನಾನು ಯಾವ ವಿಚಾರವನ್ನು ವಿಶದಪಡಿಸಿಕೊಳ್ಳುತ್ತಿದ್ದೆನೋ ಆ ವಿಚಾರಕ್ಕೆ ಮಾನ್ಯ ಸದಸ್ಯರು ಗಮನ ಕೊಟ್ಟ ಹಾಗೆ ಕಾಣುತ್ತಾ ಇಲ್ಲ. ಇಲ್ಲಿನ ಕೋರ್ಟಿನವರು ಚುನಾವಣೆ ನಡೆಯುವುದಕ್ಕೆ ತಡೆ ಆಜ್ಞೆ ಕೊಟ್ಟಾಗ್ಗೆ ಪೌರಸಭೆ ಅಸ್ತಿತ್ವದಲ್ಲಿಲ್ಲದಿರುವ ವಿಷಯದಲ್ಲಿ ಏನು ಮಾಡಬೇಕು? ಬೊಂಬಾಯಿ ಪ್ರಾಂತದಲ್ಲಿರುವ ಹಾಗೆ ಆ ಕಾಲಕ್ಕೆ ಇರತಕ್ಕ ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರು ಪುನಃ ಚುನಾವಣೆಗೆ ನಡೆಯುವವರೆಗೂ ಆಡಳಿತ ನಡೆಸಿಕೊಂಡು ಹೋಗಬಹುದು. ಆದರೆ ಬೇರೆ ಕಡೆಗಳಲ್ಲಿ ಅವಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲ. ಆ ಚುನಾವಣೆ ನಡೆಯುವವರೆಗೂ ಅವರ ಅಧಿಕಾರವನ್ನು ನಡೆಸಿಕೊಂಡು ಹೋಗಬೇಕು. ಅದು ಕೇವಲ ಒಂದೆರಡು ತಿಂಗಳು ಮಾತ್ರ ಎನ್ನುವ ಉದ್ದೇಶದಿಂದ ಮಾಡಿದ್ದು. ಈಗ ಬದಲಾವಣೆಯಾಗಿರತಕ್ಕ ಕಾನೂನುಗಳಲ್ಲಿ ಈ ಅವಕಾಶವಿರುವುದು. ಆದರೆ ಒಂದೆರಡು ವರ್ಷಗಳಾದರೂ ಕೂಡ ಚುನಾವಣೆ ನಡೆಯುವುದಕ್ಕೆ ಸಾಧ್ಯವಾಗಲಿಲ್ಲ. ಉದಾಹರಣೆಗೆ 3 ಪೌರಸಭೆಗಳ ವಿಷಯವನ್ನು ಹೇಳಿದೆ. ಇತ್ತೀಚೆಗೆ ಆ ರೀತಿ ಅನೇಕವಾಗಿವೆ. ರಾಣಿ ಬೆನ್ನೂರಿನಲ್ಲಿ ಸುಮಾರು $1\frac{1}{3}$ ವರ್ಷಗಳಿಂದ ಚುನಾವಣೆ ನಡೆಯಲಿಕ್ಕೆ ಸಾಧ್ಯವಾಗಲಿಲ್ಲ. ಹೈಕೋರ್ಟಿನಲ್ಲಿ ತಡೆ ಆಜ್ಞೆ ಬಂತು. ಅಲ್ಲಿನ ವಿವಾದಗಳು ತೀರ್ಮಾನವಾಗಲಿಕ್ಕೆ ಹೆಚ್ಚು ಕಾಲ ಹಿಡಿಯಿತು. ಈ ಪೌರ ಸಭೆಯ ಅವಧಿ ಹತ್ತಿರ ಹತ್ತಿರ ಎರಡು ವರ್ಷಗಳಾದರೂ ಚುನಾವಣೆಯನ್ನು ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಾಗಲಿಲ್ಲ. ಅಧ್ಯಕ್ಷರು ಮತ್ತು ಉಪಾಧ್ಯಕ್ಷರು ದಿನಚರಿಯ

(ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ)

ಆಡಳಿತವನ್ನು ನಡೆಸಬೇಕಾಯಿತು. ಆ ರೀತಿ 1½ ವರ್ಷಗಳ ಕಾಲ ಪೌರಸಭೆ ಆಡಳಿತ ನಡೆಯಬೇಕಾದರೆ ಅದು ದಿನಚರಿಯ ಆಡಳಿತ, routine administration ಎಂದು ಹೇಳುವುದಕ್ಕಾಗುತ್ತದೆಯೇ? ಆ ರೀತಿ ಭಾವನೆ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಅಲ್ಲಿನ ಆಡಳಿತಕ್ಕೆ ಅನೇಕ ಅಡಚಣೆಗಳು ಬಂದಿವೆ. ಇಂತಹ ಸಂದರ್ಭದಲ್ಲಿ ಅಲ್ಲಿರುವ ಅಧ್ಯಕ್ಷರಿಗೆ ಬೇಕಾದ ಸಲಹೆಗಳನ್ನು ಕೊಡುವುದಕ್ಕೆ ಪೌರಸಭೆ ಇರುವುದಿಲ್ಲ. ಅವರು ಪೌರ ಸಭೆಗೆ ಜವಾಬ್ದಾರರು ಅಲ್ಲ.

ಕಾನೂನು ಪ್ರಕಾರ ಸರ್ಕಾರಕ್ಕೆ ಜವಾಬ್ದಾರರು ಅವರು ತಮ್ಮ ಒಂದು ವಿವೇಚನಾಡಳಿತವನ್ನು ನಡೆಸಿಕೊಂಡು ಹೋಗುತ್ತಿರುತ್ತಾರೆ. ಆದರೆ ಏನಾದರೂ ಒಂದು ಸಂದರ್ಭದಲ್ಲಿ ಸರ್ಕಾರ ಅವರ ಒಂದು ಅಭಿಪ್ರಾಯವನ್ನು ತಳ್ಳಿಹಾಕಿ ಆ ಆಡಳಿತದ ಜವಾಬ್ದಾರಿ ಅವರಿಗೆ ಸಾಲದು, ಸರಿಯಾದ ರೀತಿಯಲ್ಲಿ ಆಡಳಿತವನ್ನು ನಡೆಸುತ್ತಿಲ್ಲ ಅಂದರೆ ಅಲ್ಲಿನ ಪೌರಸಭೆ ಆವರಣದಲ್ಲಿ ವಾಸಮಾಡುವ ಜನರಿಗೆ ಸರ್ಕಾರದವರು ಮಾಡುವ ಅಂತ್ಯಂತ ಕನಿಷ್ಠವಾದ ಕರ್ತವ್ಯ ಒಂದಿದೆ. ಆ ಕರ್ತವ್ಯವನ್ನು ನೆರವೇರಿಸುವುದಕ್ಕಾಗಿಯೇ ಈ ಕಾನೂನನ್ನು ಈ ಸಭೆಯ ಮುಂದೆ ಇಟ್ಟಿರುವುದು. ಆದಕ್ಕಾಗಿಯೇ ಈ ಮಸೂದೆಯಲ್ಲಿ ಈ ರೀತಿ ಒಂದು ಮಾತನ್ನು ಹೇಳಿದ್ದಾರೆ. "the election of all the Councillors, or in the case of a City Municipality, of more than two-thirds of the whole number of Councillors and in the case of any other Municipality, of a majority of the Councillor of the Municipality, has been declared by a Competent Court or authority to be void" ಚುನಾವಣೆ ನಡೆದು ವಿವಾದಕ್ಕೆ ಒಳಗಾಗಿರುವ ಬಹು ಸಂಖ್ಯೆಯಲ್ಲಿ ಸದಸ್ಯರು ರದ್ದಾಗಿರುವಾಗ ಇನ್ನೊಂದು ಸಾರಿ ಚುನಾವಣೆ ನಡೆಯುವವರೆಗೂ ಆಡಳಿತವನ್ನು ಯಾವ ರೀತಿ ನಡೆಸಬೇಕೆಂಬುದು ಈಗಿನ ಪ್ರಶ್ನೆ.

ಶ್ರೀ ಬಿ. ಪಿ. ಕದಂ.—ಕಮಿಷನರ್‌ರವರು ಇದ್ದಾರಲ್ಲಾ!

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ಕಮಿಷನರ್ ಅವರು ಇದ್ದಾರಲ್ಲಾ ಎಂದು ತಾವು ಹೇಳಬಹುದು. ಕಮಿಷನರ್ ಅವರು ಪೌರಸಭಾಡಳಿತದಲ್ಲಿ ಒಂದು ನಿರ್ದಿಷ್ಟವಾದ ಕಾನೂನುಗಳನ್ನು ಚಲಾಯಿಸಿ ಕೆಲಸಗಳನ್ನು ನೆರವೇರಿಸುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲ. ಈ ಪೌರಸಭೆ ಕಾನೂನುಗಳಲ್ಲಿ ಅನೇಕ ಆಫೀಸರುಗಳಲ್ಲಿ ಕಮಿಷನರ್ ಸಹ ಒಬ್ಬ ಆಫೀಸರ್. ಅವರು ಕಮಿಷನರ್ ಕೆಲಸ ಮಾಡಬಹುದು. ಆದರೆ ಪೌರಸಭೆಯ ಕೆಲಸಗಳನ್ನು ಅವರು ನಿರ್ವಹಿಸುವುದಕ್ಕಾಗುವುದಿಲ್ಲವೆಂಬುದಾಗಿ ನಾನು ಮಾನ್ಯ ಸದಸ್ಯರಲ್ಲಿ ವಿನಂತಿ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ. ಹಾಗೆಯೇ ಈ ಮಸೂದೆಯಲ್ಲಿ ಈ ರೀತಿ ಇನ್ನೊಂದು ಮಾತನ್ನು ಹೇಳಿದ್ದಾರೆ. "The term or the extended term of office of the Councillors of the Municipality has expired and the new Municipality has not been constituted in accordance with the provisions of this act." ಇದು ಬಹಳ ಆಗ್ರಹಕವಾಗಿ ಮೀಸಲಾಗಿಟ್ಟಿರುವ ಈ ಮಸೂದೆಯು ಒಂದು ನಿಯಮವೆಂಬುದಾಗಿ ಮಹಾರಾಷ್ಟ್ರ ಏಕೀಕರಣ ಸಮಿತಿಯ ಸದಸ್ಯರು ವಾದಿಸಿ ಈ ಮಸೂದೆಯ ಮೇಲೆ ಮಾತನಾಡಿ ಭಾಗವಹಿಸಿದ್ದಾರೆ. ಅವರು ಬೆಳಗಾಂ ಮುನಿಸಿಪಾಲಿಟಿಗೆ ತುಂಬಾ ಅನ್ಯಾಯ ಮಾಡಿದ್ದಾರೆಂದು ಹೇಳಿದರು. ಅದು ತಪ್ಪು ವಾದ. ಇದು ಬರೀ ಹಗ್ಗ, ಅವರು ಇದನ್ನು ಹಾವು ಎಂದು ಭಾವಿಸುತ್ತಿದ್ದಾರೆ. ನಿಮಗೆ ಭಯವಿದೆ. ಇದು ಹಾವಲ್ಲ; ಬರೀ ಹಗ್ಗ. ಯಾರಿಗೆ ಕಾನೂನಿಗನುಸಾರವಾಗಿ ನಡೆಯುವುದಕ್ಕೆ ಆಡಳಿತದಲ್ಲಿ ಅವಕಾಶವಿದೆಯೋ ಅವರಿಗೆ ಕಾನೂನು ಪ್ರಕಾರ ಉಪಯೋಗ ಪಡೆಯಲಿಕ್ಕೆ ಅವಕಾಶವಿವೆ. ಆದರೆ ಯಾರು ಕಾನೂನು ಪ್ರಕಾರ ಆಡಳಿತ ನಡೆಸದೇ ಅದಕ್ಕೆ ಅಡಚಣೆಯನ್ನು ಮಾಡುತ್ತಾರೋ ಅಂತಹವರಿಗೆ ಅಂಥಾ ಕಾನೂನನ್ನು ಉಪಯೋಗಿಸುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಅವರಿಗಿಂತಲೂ ಹೆಚ್ಚಿಗೆ ಪ್ರಜಾಪ್ರಭುತ್ವದಲ್ಲಿ ನಮಗೆ ವಿಶ್ವಾಸವಿದೆ. ಈ ಪ್ರಜಾಪ್ರಭುತ್ವವನ್ನು ಈ ಸರಕಾರದವರು ಯಾವ ರೀತಿ ಬೆಳೆಸುತ್ತಿದ್ದಾರೆನ್ನುವುದನ್ನು ಮಾನ್ಯ ಸದಸ್ಯರು ಮರೆಯಬಾರದು. ಶ್ರೀ ಮುಕ್ಕಣ್ಣಪ್ಪನವರಿನ್ನೂ ಬಹಳ ಮುಂದೆ ಹೋಗಿ ಆಲೋಚನೆ ಮಾಡಿದ್ದಾರೆ. ಬೆಳಗಾಮಿಪುರದ ಜನರು ಅಲ್ಲಿ ಚುನಾವಣೆ ನಡೆಸಲು ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಂಡಿದ್ದಾರೆ. ಆದರ ಬಗ್ಗೆ ಚುನಾವಣೆಗೆ ಅನುಕೂಲಪಡಿಸಬೇಕೆಂದು ನಾವು ಅಲ್ಲಿಯ ಅಧಿಕಾರಿಗಳಿಗೆ ಆದೇಶ ಕೊಟ್ಟಿದ್ದೇವೆ. ಅವರು ಆ ಕೆಲಸವನ್ನು ಮಾಡುತ್ತಾರೆ. ಇಷ್ಟಕ್ಕೆ ಶ್ರೀ ಮುಕ್ಕಣ್ಣಪ್ಪನವರು ಅದಕ್ಕೆ ಸಂಬಂಧಪಡದೆ ಇರತಕ್ಕ ಯಾವ್ಯಾವುದೋ ವಿಚಾರಗಳನ್ನೆಲ್ಲಾ ಹೇಳಿದ್ದಾರೆ. ಅವರೇಕೆ ಹೀಗೆಲ್ಲಾ ಮಾತುಗಳನ್ನಾಡುತ್ತಾರೋ ಅದಿನ್ನೂ ನನಗೆ ಅರ್ಥವಾಗಿಲ್ಲ. ಆ ಬೆಳಗಾಮಿ ಚುನಾವಣೆ ವಿಚಾರದಲ್ಲಿ ಹೈಕೋರ್ಟಿನವರೇನು ಆಜ್ಞೆ ಮಾಡಿದ್ದಾರೆಂತ ಕೇಳಿದರು. ಆದರೆ ಈ ಮರ್ಮವನ್ನು ಬಿಟ್ಟರೆ ಅವರಿಗೆ ಜರಾ ನಾಚಿಗೆಗೇಡಾದೀತೆಂದು ಇಲ್ಲಿಯವರೆಗೂ ತಡೆ ಹಿಡಿದಿದ್ದೆನು. ಆ ಆಜ್ಞೆಯಲ್ಲಿ ಹೇಳಿದ ವಿಚಾರಗಳನ್ನೆಲ್ಲಾ ಇವರು ಬೆರಸಿ ಹೇಳಿದ್ದಾರೆ.

Sri C. J. MUKKANNAPPA.—Then let him read the Judgment.

Sri K. PUTTASWAMY.— It is reported by the Advocate-General that when the writ petition came up for hearing on 20-11-62, the above position was brought to the notice of the High Court. In view of the above position the High Court has dismissed the writ petition expressing the hope that the reconstitution of wards will be completed early and the election will be held early.

Sri C. J. MUCKANNAPPA.—It is true that the writ petition was dismissed, but what was the observation made by the Bench ? Sir, if I could he allowed 20-30 minutes, I will produce the entire Judgment.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ಸ್ವಾಮಿ, ಆ ಬೆಳಗಾಮಿ ಚುನಾವಣೆ ವಿಚಾರವಾಗಿ ಈಗಾಗಲೇ ಇವರೆಲ್ಲರೂ ಬೇಕಾದಷ್ಟು ಮಾತನಾಡಿದ್ದಾರೆ. ಆದರೆ ಈಗ ಆ ನಗರ ಸಭೆಯವರು ಅಲ್ಲಿಯ ಜನರೂ ಸರ್ವಾನುಮತದಿಂದ ಏನೊಂದು ನಿರ್ಣಯವನ್ನು ಪಾಸ್ ಮಾಡಿ ಸರ್ಕಾರಕ್ಕೆ ಮುಂದಿನ ನಡುವಳಿಕೆ ಬಗ್ಗೆ ಕಳುಹಿಸಿದ್ದಾರೋ ಆ ನಿರ್ಣಯಕ್ಕನುಗುಣವಾಗಿ ಈಗ ಸರ್ಕಾರದವರು ಆಜ್ಞೆಯನ್ನು ಜಾರಿಗೆ ಕೊಟ್ಟಿದ್ದಾರೆ. ಆದರೆ 1961 ರಲ್ಲಿ ಸಾಮಾನ್ಯವಾಗಿ ಜನಗಣತೆಯಾದ ಮೇಲೆ ಅಲ್ಲಿಯ ವಾರ್ಡುಗಳನ್ನು ಪುನರ್ವಿಂಗಡಣೆ ಮಾಡಬೇಕೆಂದು ಕೇಳಿಕೊಂಡಿದ್ದಾರೆ. ಆ ಬಗ್ಗೆ ವಾರ್ಡುಗಳನ್ನು ಪುನರ್ವಿಂಗಡಣೆ ಮಾಡಲು ನಮ್ಮ ಅಧಿಕಾರಿಗಳಿಗೆ ತಿಳಿಸಿದ್ದೇವೆ. ಅವರು ಅದನ್ನು ಮಾಡುತ್ತಾರೆ. ಆ ಬಗ್ಗೆ ಪ್ರಯತ್ನಗಳೂ ನಡೆಯುತ್ತಿವೆ.

Sri V. S. PATIL (Belgaum I).—The Municipality has nothing to do with the formation of wards and holding of elections. It is the duty cast upon the Govt. and their officers to form wards and hold elections.

Sri K. PUTTASWAMY.—That is what I said. But the Municipal Council requested the Govt. to consider that, and Govt. are taking steps to do that.

MR. SPEAKER.—The period fixed for this Bill by the Business Advisory Committee is over now and I extend it by half an hour.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ಸ್ವಾಮಿ, ಒಟ್ಟಿನಲ್ಲಿ ಹೇಳುವುದಾದರೆ ಶ್ರೀಮಾನ್ ಮುಕ್ಕಣ್ಣಪ್ಪನವರು ಯಾವಾಗಲೂ ಸಾಮಾನ್ಯವಾಗಿ ಅವರ ಚರ್ಚೆಯ ಕಾಲದಲ್ಲಿ ಅವರ ಭಾಷಣಕ್ಕೊಂದು ಆಕರ್ಷಣೆ ಇರಲೆಂತಲೋ ಏನೋ ಅವರು ಈ ಮಸೂದೆಯಲ್ಲಿಲ್ಲದ ಹಾಗೂ ಈ ಮಸೂದೆಗೆ ಸಂಬಂಧಪಡದ ವಿಚಾರಗಳನ್ನು ಅವರು ಸಾಮಾನ್ಯವಾಗಿ ಹೇಳುವುದು ಅವರ ವಾಡಿಕೆ. ಆದರೆ ಅವರಿಗೆ ಆ ದಾವಣಗೆರೆ ಮತ್ತು ಈ ಬೆಂಗಳೂರು ನಗರ ಸಭೆಗಳ ಬಗ್ಗೆ ಅವರಿಗಿರತಕ್ಕ ಮಮತೆಯನ್ನು ನೋಡಿ ನನಗೆ ಬಹಳ ಸಂತೋಷವಾಯಿತು. ಆದರೆ ಈಗ ಆ ದಾವಣಗೆರೆ ಪೌರಸಭೆಯ ಆಡಳಿತ ಸರಿಯಾಗಿ ನಡೆಯುತ್ತಿಲ್ಲ ಎಂತ ಸರ್ಕಾರಕ್ಕೆ ದೂರು ಬರೆದಿದ್ದಾರೆ. ಆದರ ಬಗ್ಗೆ ಆ ಪೌರಸಭೆಯವರು ಏನು ಏನು ಸಮಜಾಯಿಷಿ ಕೊಡುತ್ತಾರೆ; ಅವರೇನು ಹೇಳುತ್ತಾರೆ ನೋಡೋಣ ಎಂತ ಅವರನ್ನು ಕೇಳಿದ್ದೇವೆ. ಅಷ್ಟಕ್ಕೇನೇ ಇವರು ಪ್ರಜಾಪ್ರಭುತ್ವಕ್ಕೇ ಕುಠಾರಪ್ರಾಯದ ಪ್ರಸಂಗ ಒದಗಿದೆ ಎಂತ ಸರ್ಕಾರಕ್ಕೆ ದೂರು ಬಂದಿದೆ. ಆ ಬಗ್ಗೆ ಒಂದು ತನಿಖೆ ನಡೆಸಿ ಒಂದು ನಿರ್ದಿಷ್ಟ ಕ್ರಮ ಕೈಗೊಳ್ಳಬೇಕೆಂದು ತಿಳಿಸಿದ್ದಾರೆಂತ ಅವರು ಹೇಳಿದ್ದರಲ್ಲೇನೋ ಸ್ವಲ್ಪ ಮಟ್ಟಿಗೆ ಸತ್ಯಾಂಶವಿದೆ. ಅಂಥ ಸಂದರ್ಭದಲ್ಲಿ ಸರ್ಕಾರದವರು ಕಾನೂನು ಪ್ರಕಾರ ಒಂದು ಷೋಕಾಸ್ ನೋಟೀಸನ್ನು ಕೊಡಲೇಬೇಕು—ಕೊಟ್ಟಿದೆ. ಆದರೆ ಆ ಬಗ್ಗೆ ಸರ್ಕಾರದವರಿನ್ನೂ ಏನೂ ಕ್ರಮಕೈಗೊಂಡಿಲ್ಲ—ಮುಂದೆ ಇನ್ನು ಏನೇನು ಕ್ರಮಕೈಗೊಳ್ಳುತ್ತಾರೋ ಎಂಬ ಒಂದು ಶಂಕೆ ಈಗಾಗಲೇ ಶ್ರೀ ಮುಕ್ಕಣ್ಣಪ್ಪನವರಿಗೆ ಹುಟ್ಟಿರುವಂತೆ ಕಾಣುತ್ತಿದೆ. ಆದಕ್ಕಾಗಿ ಅವರು ನಾಳೆ ಬರತಕ್ಕ ಮಳೆನೀರಿಗೆ ಈ ದಿವಸವೇ ಕಟ್ಟೆಕಟ್ಟಲು ಹೊರಟಿದ್ದಾರೆ! ಇನ್ನು ಬೆಂಗಳೂರು ಕಾರ್ಪೋರೇಷನ್ನಿನ ಬಗ್ಗೆ ಸರ್ಕಾರದವರೇನೂ ಯಾವ ತಿದ್ದುಪಡಿಯನ್ನೂ ಸೂಚಿಸಿಲ್ಲ. ಆದಾಗ್ಯೂ ಶ್ರೀ ಮುಕ್ಕಣ್ಣಪ್ಪನವರೇನೋ ಬಹಳ ಕಟುವಾಗೇ ಟೀಕೆ ಮಾಡಿದ್ದಾರೆ. ನಾನು ಈ ವಿಚಾರಗಳ ಬಗ್ಗೆ ಹೇಳಿದ್ದನ್ನೇ ಹೇಳುತ್ತ ಈ ಸಭೆಯ ಕಾಲವನ್ನು ಹೆಚ್ಚು ತೆಗೆದುಕೊಳ್ಳಲು ಇಷ್ಟಪಡುವುದಿಲ್ಲ. ಬೆಂಗಳೂರು ಕಾರ್ಪೋರೇಷನ್ನು ಬಹಳ ಚೆನ್ನಾಗಿ ಕೆಲಸ ಮಾಡಿಕೊಂಡು ಹೋಗುತ್ತಿದೆ. ಅದು ಕಾನೂನು ಪ್ರಕಾರ ತನ್ನ ಕೆಲಸಕಾರ್ಯಗಳನ್ನು ಮಾಡಿಕೊಂಡು ಹೋಗುತ್ತಿದೆ. ಊರಿನ ನಾಗರೀಕರಿಗೆ ತೃಪ್ತಿಯಾಗುವಂತೆ ಈ ಸಂಸ್ಥೆಯವರು ಶ್ರದ್ಧೆಯಿಂದ ಅವರು ತಮ್ಮ ಶಕ್ತ್ಯಾನುಸಾರ ಕೆಲಸ ಮಾಡಿಕೊಂಡು ಹೋಗುತ್ತಿದ್ದಾರೆ. ಆದುದರಿಂದ ಶ್ರೀ ಮುಕ್ಕಪ್ಪಣ್ಣನವರು ಈ ಸಂಸ್ಥೆಯ ಬಗ್ಗೆ ಮಾಡಿರತಕ್ಕ ಟೀಕೆಗಳೆಲ್ಲ ನಿರಾಧಾರವಾದವುಗಳೆಂದು ಹೇಳಿದರೆ ಸಾಕು. ಇನ್ನು ನಮ್ಮ ಮಹಾರಾಷ್ಟ್ರ ಏಕೀಕರಣ ಸಮಿತಿಯ ಸದಸ್ಯರುಗಳಲ್ಲಿ ವಿನಂತಿ ಮಾಡಿಕೊಳ್ಳಬೇಕಾಗಿರುವುದೇನೆಂದರೆ—ಈ ತಿದ್ದುಪಡಿಯು ಅತ್ಯಗತ್ಯವಾದುದು. ಅನೇಕ ಸಂದರ್ಭಗಳಲ್ಲಿ ಆಡಳಿತ ನಡೆಸುವುದಕ್ಕೆ ಅಡಚಣೆಗಳಾದಾಗ, ಆಡಳಿತ ಇನ್ನೇನು ಕುಸಿದು ಬೀಳುತ್ತೆಂದು ಹೇಳತಕ್ಕ ಕಾಲದಲ್ಲಿ, ಅಲ್ಲಿಯ ಆಡಳಿತವು ಒಂದು ಸಮರ್ಪಕವಾದ ರೀತಿಯಲ್ಲಿ—ಒಂದು ವ್ಯವಸ್ಥೆಯಿಂದ ನಡೆಯುವಂತೆ ಮಾಡಬೇಕಾದುದು ಅಲ್ಲಿಯ ಜನರಿಗೆ ಒಂದು ವ್ಯವಸ್ಥೆಯನ್ನು ಕಲ್ಪಿಸಿಕೊಡಬೇಕಾದುದು ಸರ್ಕಾರದ ಆದ್ಯಕರ್ತವ್ಯ. ಆದಕ್ಕಾಗಿ ಈಗ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ತಮ್ಮ ಮುಂದೆ ತರಲಾಗಿದೆ. ಮಾನ್ಯ ಸದಸ್ಯರೆಲ್ಲರೂ ಸಂಪೂರ್ಣವಾಗಿ ಇದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳುತ್ತಾರೆಂದು ನಾನಾದರೂ ನಂಬಿದ್ದೇನೆ.

MR. SPEAKER.—The question is :

"That the Mysore Municipal Laws (Amendment) Bill, 1962 be taken into consideration."

Those in favour of it will say 'Aye'.

(MR. SPEAKER).

Those against it will say 'Nay'.

The Ayes have it·······

Sri V. S. PATIL.—Sir, I demand a poll.

[The chair allowed 3 minutes and again put it to vote].

The motion was carried by voice vote.

MR. SPEAKER.—For the second clause, I find that there are 10 amendments. I request all the members, who have given notice of the amendments, to be a little more alert.

Sri B.R. SUNTHANKAR.—Sir, I beg to move :

"That item (a) shall be deleted."

MR. SPEAKER.—Amendment moved :

"That item (a) in clause 2 shall be deleted."

Sri. B. R. SUNTHANKAR.—Sir, I am moving that this clause should be deleted because it is a direct encroachment on authority of the Municipal bodies, and it seeks to appoint an Administrator on the Municipal bodies. This is against the very principle of the Local-self-Government. The Hon'ble Minister, as far as I could understand him, has failed to convince us about the propriety and the usefulness of this amending Bill. The Government is seeking hereby to take away the power from the Municipality and to appoint an Administrator. That is why I am seeking that this sub clause should be deleted.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—I appose the amendment. ಅಡ್ಮಿನಿಸ್ಟ್ರೇಟರನ್ನು ನೇಮಕ ಮಾಡುವ ಉದ್ದೇಶದಿಂದಲೇ ಈ ಮಸೂದೆಯನ್ನು ತಂದಿರುವುದು. ಈಗ ಅಡ್ಮಿನಿಸ್ಟ್ರೇಟರ್ ನೇಮಕ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲದಂತೆ ತಿದ್ದುಪಡಿಯನ್ನು ತಂದರೆ, ಅದನ್ನು ಒಪ್ಪಿಕೊಂಡರೆ ಮಸೂದೆಯ ಮೂಲ ಉದ್ದೇಶವನ್ನೇ ಕೈಬಿಟ್ಟಂತಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಈ ತಿದ್ದುಪಡಿಯನ್ನು ಒಪ್ಪುವುದಕ್ಕೆ ಸಾಧ್ಯವಿಲ್ಲ.

MR. SPEAKER.—There are a number of other amendments. Usually, we have to debate on all of them and then put them to the vote.

Sri V. S. PATIL.— Sir, I beg to move Amendment to Item (*b*):—

"That in sub-section (1) (*a*) of the proposed section 178 A, of the Bombay District Municipal Act, 1901, the words "or authority" shall be deleted."

MR. SPEAKER.—Amendment moved :

"That in sub-section (1) (*a*) of the proposed section 178 A, of the Bombay District Municipal Act, 1901, the words "or authority" shall be deleted."

Sri B.R. SUNTHANKAR.—Sir, I beg to move :

"That in item (*b*) sub-clauses (*b*), (*c*) and (*d*) of the proposed section 178-A shall be deleted."

MR. SPEAKER.— Amendment moved :

"That in item (*b*) sub-clauses (*b*), (*c*) and (*d*) of the proposed section 178-A shall be deleted."

Sri V. S. PATIL.—Sir, I beg to move :

"That for sub-section (1) (*b*) of the proposed section 178 A of the Bombay District Municipal Act, 1901, the following shall be substituted :

"(*b*) In the case of city Municipality, the election of more than 2/3 of the Councillors and in the case of any other Municipality, the election of the majority of the Councillors, has been declared by a competent Court or authority to be void, or"

MR. SPEAKER.— Amendment moved :

"That for sub-section (1) (*b*) of the proposed section 178 A of the

Bombay District Municipal Act, 1901, the following shall be substituted :

" (*b*) In the case of City Municipality, the election of more than 2/3 of the Councillors and in the case of any other Municipality, the election of the majority of the Councillors, has been declared by a competent Court or authority to be void, or."

SRI V. S PATIL.— Sir, I beg to move :

"That sub-section (1) (*c*) of the proposed section 178 A of the Bombay District Municipal Act, 1901, shall be deleted."

MR. SPEAKER.— Amendment moved :

"That sub-section (1) (*c*) of the proposed section 178 A of the Bombay District Municipal Act, 1901, shall be deleted."

SRI B. R. SUNTHANKAR.—Sir, I beg to move :

"That in item (*b*) last paragraph to sub-section (1) of the proposed section 178-A for the words "as may be specified........ appointment ", the words "till the stay order of a competent court or authority is vacated or the new President is elected and takes over charge of his duties, as the case may be", shall be substituted."

MR. SPEAKER.— Amendment moved :

"That in item (*b*) last paragraph to sub-section (1) of the proposed section 178-A for the words "as may be specified........ appointment", the words "till the stay order of a competent court or authority is vacated or the new President is elected and takes over charge of his duties, as the case may be" shall be substituted."

Sri V. S. PATIL.—Sir, I beg to move:

"That in sub-section (2) of the proposed section 178-A of the Bombay District Municipal Act, 1901, the words "and other authorities of the Municipality" in lines 5-6 shall be deleted."

MR. SPEAKER.—Amendment moved :

"That in sub-section (2) of the proposed section 178-A of the Bombay District Municipal Act, 1901, the words "and other authorities of the Municipality" in lines 5-6 shall be deleted."

Sri B.R. SUNTHANKAR.—Sir, I beg to move :

"That in item (*b*) sub-section (3) of the proposed section 178-A shall be deleted."

MR. SPEAKER.—Amendment moved :

"That in item (*b*) sub-section (3) of the proposed section 178-A shall be deleted."

Sri V. S. PATIL.—Sir, I beg to move :

"That in sub-section (3) of the proposed section 178-A of the Bombay District Municipal Act, 1901, for the words "may, if it thinks fit" the words "shall appoint" shall be sustituted."

MR. SPEAKER.— Amendment moved :

"That in sub-section (3) of the proposed section 178-A of the Bombay District Municipal Act, 1901, for the words "may, if it thinks fit" the words "shall appoint" shall be substituted."

Sri V. S. PATIL.—Sir, I beg to moved :

"That in sub-section (3) of the proposed section 178-A of the Bombay District Municipal Act, 1901, the words "The members

(Sri V. S. PATIL)

of the advisory Council shall hold office during the pleasure of the State Government" shall be deleted."

MR. SPEAKER.— Amendment moved :

"That in sub-section (3) of the proposed section 178-A of the Bombay District Municipal Act, 1901, the words "The members of the Advisory Council shall hold office during the pleasure of the State Government" shall be deleted."

4-30 P.M.

†Sri V. S. PATIL.—These are the main amendments on which we are opposing the present Bill. Otherwise, in certain other respects I would have agreed with the Government to have some amendments to the existing law but under the guise of clearing the doubts or having a uniformity of law in certain provisions of the Municipal Acts, the Government is trying to take up powers which are not only derogatory to the principales but they are clearly meant for a dictatorial purpose in the administration of the local body. My first amendment is, to delete the word 'authority'. Here the wording is:—

"Any general election to a committee under this Act and the proceedings consequent thereon have been stayed by an order of a competent court...."

I agree so far as this provision is concerned. But there is the other words 'or authority'. That authority means executive authority; either it is vested under the law in the Deputy Commissioner of the District or in the Commissioner or in the Government. This executive authority, should not be given the power to postpone or stay the elections of these bodies. If this power is given to the executive authority, then the power that is vested in the people will be definitely hampered or taken away by the executive. We know, Sir, and we have got a very bitter experience of the present behaviour and actual actions of the Ruling Party that they do not want any other party or any other group even in the local bodies to control these democracies. That is the way in which the present Government is acting and they are trying to smash all other parties, political parties in the local bodies. That is why they can wield the power through their executive to postpone or stay the elections if they fear that the Congress Party will not be elected. This is completely derogatory to the principles of democracy and that is why I want to delete those words. I would like to respect if it is a court of competent Jurisdiction because court is a branch of the Judiciary in which we have faith and if the court stays elections, then we have nothing to grumble. That is why I submit that the Hon'ble Minister may think twice before usurping the powers of the Judiciary in this matter. But I hear from the speech which the Hon'ble Minister made at the time of consideration of this Bill, that they are not going to yield an inch. Then the next amendment which I have moved is about the election of all councillors. This is completely unnecessary, because all councillors will include the remaining phrase also two-thirds or more majority. So, all councillors is not necessary. If there is more than two-thirds or bare majority in other cases, if those conditions are there, then all Councillors need not be there. It is unnecessary. That is why I have tried to omit it. The main bone of contention is sub-clause (c). We have already stated on this side that the policy of

the congress Party both in the States as well as at the centre is to decentralise the powers and that is a declared policy. They have tried to implement it by certain enactments also. But here by including this clause in this Bill, the very purpose and the policy is set at not. Sir, we come from an area which was under the direct rule of the Britishers, either Bombay or Madras. The municipalities have been given the power to elect their own representatives. There was no idea of the British Government to interpose or postpone and to see an administrator on their behalf is appointed. Full powers were given both in Madras as well as in Bombay to elect their own representatives and to continue the body perpetually. Sir I should like to make a reference to Section 8 of the Bombay Boroughs Municipal Act where it clearly says that in every Municipal Borough there shall be a municipality and every such municipality shall be a body corporate by name of such municipality and shall have the perpetual succession and common seal. This perpetual succession which is given by the British imperialists is being taken away by our Congress Government by interposing their own man, their own hireling, their own person to smash the democratic institution and to get hold of the power of these bodies. This is derogatory to decentralisation and declared policy of the Congress Party. That is one thing. The second thing is Sir, that this clause will come into play whenever the Government find that majority are not in their hands. Section 10 of the Bombay Municipal Borough Act gives the power of holding elections to the Government. It is not the municipality that can hold their own election. The power is vested in the Government to hold election. Section 10 says that the provincial Government shall from time to time and generally for each municipality determine the number of councillors and make rules as to how elections are to be held etc. The power of holding elections is not with the municipality but it rests with the Government itself. They can do by framing rules, etc. It further says "the term or the extended term of office of councillors of the municipality has expired and the new municipality has not been coustituted in accordance with the provisions of this Act". If elections are not held it is the dereliction of duty on the part of the Government and not on the part of the Municipality. It is suggested or said by the Hon'ble Minister that wards were not formed according to the Census of 1951. I submit it was the duty of your officers or the Deputy Commissioner or Commissioner and of the Government to form the wards in time because the time of existing Municipality expired in February 1962. Before that you ought to have formed the wards or immediately after that, you ought to have formed the wards. Even today, I challenge the Government that they have not taken a single step to form the wards.

They have not even called for the proposals from their subordinate officers. The only thing which they are apprehensive of is that the Maharashtra Ekikarana Samithi Committee members will hold the upper hand. Even now if they hold elections, the same members or similar members may come up and they will not yield to the pressure of this Government and therefore they want to postpone holding elections and appoint an administrator. This cannot be tolerated in any democracy. One of the voters has moved the High Court by a writ petition saying that the Government is unnecessarily prolonging the holding of elections, and therefore, the Government wants to appoint an

(Sri V. S. PATIL).

administrator. On that petition, the High Court has directed the Government to hold the elections as early as possible. More than that, the High Court cannot do. Inspite of that order, Government have absolutely not taken any step to implement that order to secure to the people of Belgaum their legitimate right of electing their own body. They will not permit it until they are sure that the Marathi people or the Maharashtrians are put down by force. This is rather shameful, I must say on the floor of this House. By force, by more majority in this House, if you want to crush down the spirit of the Marathi people, it is an impossibility. You canot do it.

I submit that the last ground on which I am appealing to this Hon'ble Minister is—the present time is a crisis in our nation. That is why we have stopped all activities so far as linguistic disturbances are concerned. We have given the assurance to the Government that we will not say a word about it till the Chinese crisis is over. We have toured round that area with your officers and with our Kannada brothers throughout the whole district for encouraging the people to recruit themselves and to collect funds for the national defence. We have done all that. But by passing this Bill, this particular clause, I tell you definitely and this Government that dissensions will crop up; they will blow up and they will burst up, and all our efforts of unity will be set at nought. That will be the result of passing this Bill. I should like to warn the Hon'ble Minister in charge that if he wants dissensions, the creation of distress and hatred between the two communities, he may get it passed, because he has got a majority. I should like to appeal to him, if he is really national minded, or if he has got some respect for the unity of the people of India in this crisis, he must withdraw this clause. Otherwise, we have no other go....the result will be to create hatred between these two sections of people, and our people will never trust this Government.

MR. SPEAKER.—The half an hour time extended will be out in two minutes. I suppose by another half an hour we will be able to finish it.

HON'BLE MEMBERS.—The whole day, Sir.

Sri B. R. SUNTHANKAR.—Time may be extended till the whole day.

MR. SPEAKER.—When one hour was allotted, what were the members doing? The report of the Business Advisory Committee was placed on the Table of the House. It was circulated to every member. If the time allotted for conducting business is to be changed like this, if it is so wrong, I think it must be brought to the notice of the House.

Sri C. J. MUCKANNAPPA.—The Hon'ble Speaker may extend the time, Sir.

MR. SPEAKER.—If for every Bill I am to do—I am going to do in this case. Hereafter at least, we should keep up the time.

Sri C. J. MUCKANNAPPA.—There are some Bills which may not take ten minutes. For the previous Bill, we had allotted half an hour, but we passed it in 17 minutes.

MR. SPEAKER.—I will extend the time by another half an hour and I hope it will be over.

†Sri B.R. SUNTHANKAR.-(Belgaum City).—Sir, in the amendments that I have proposed, I do not take objection to clauses (*a*) and (*b*) of 178 A, because, wherever there has been a stay order by a competent court or wherever elections have been declared void, the appointment of an administrator for the time being can

be justified and that, only for the time being. As soon as the orders of the court or the High Court, as the case may be, are vacated, the administrator should be withdrawn immediately.

Then, Sir, the most objectionable part in this clause is about (c) of 178-A. Here Sir, it is said :

> "The term or the extended term of office of the Councillor of the Municipality has expired and the new Municipality has not been constituted in accordance with the provisions of this Act."

Sir, the question is that the term of the Municipality has expired. It is not said that owing to unavoidable circumstances, the elections could not take place. The words are "has expired" and the new Municipality has not come. By whose fault? Why was the term of the Municipality allowed to expire? According to the provisions of the Act, as soon as a term expires, it is the duty of the Government to hold fresh elections and constitute a new body. So, the term expired and no new body was elected. It is a dereliction of duty on the part of the Government. So the Government has failed in its duty. For the failure of the Government to do its duty, it is the civic body that is being punished. It is not only the civic body, but it is the people who have to suffer. And, now the Government will appoint an administrator, encroaching on the rights of the people.

As my Hon'ble friend Mr. V. S. Patil has already pointed out, in thc Bombay area which was formerly under the British rule, the policy of the British imperialists was to give to a large measure the powers of Self-Government to these local bodies. Sir, for the information of the House, I will read about the policy of the British Government. Sir, I may be allowed to read an extract from the Government of India resolution of 11th May 1918. As far back as 1918 that means when the British imperialists were almost at their zenith. At that time, the Government of India, following the famous declaration of 26th August 1917 has passed the following resolution :

> "The object of Local Self-Government being to train people in the management of their own local. affairs, political education of this sort must in the main take precedence over all consideration of departmental efficiency. It follows from this that the local bodies should be as representative as possible of the people whose affairs they are called on to administer, that their authority in the matters entrusted to them should be real and not nominal, and that they should not be subjected to unnecessary control, but should learn by making mistakes and profiting by them. The control of Government over local bodies is at present exercised both from within and it is mainly by the substitution of outside for inside control and by the reduction of outside control so far as compatible with safety, that progress in the desired direction will be achieved."

Even in 1918 the policy of the Government of India was to give full scope to these bodies. Interference from the Government was lease even under the British imperialism so far as local bodies were concerned. But now this Government is going back. For the fault of its own, the Government is trying to intervene. If any municipal body has incurred the displeasure of this Government, the Government may choose not to hold elections, allow the term to expire and not allow a new body to be constituted. The

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Government may purposely do all these things. If any civic body is in the bad books of the Government, the Government can appoint an administrator. That is what actually the Government has done in the case of Belgaum municipality.

As for clause (*d*) there is a provision in the original Act. Wherever there are vacancies they can be filled up by elections. That was the natural course. Appointment of an Administrator is the last resort. In the original Act there is a provision to appoint an administrator when there is a grave charge against the municipality. If there is any abuse of power or mal-administration, or misappropriation or there is any grave charge, there is provisions to appoint an administrator. When there are no such cases, to appoint an administrator is a direct encroachment and it strikes at the root of democracy. We are thinking of decentralising the democracy. Is this the decentralised democracy? By decentralisation, we mean to give more power to the people. By amending this Act we are trying to stifle the powers given to the people; we are snatching away the rights of the people. By appointing an administrator and not holding elections, the Government is taking away the power of the civic body and its elected representatives. That is a direct encroachment which strikes at the very root of civic rights. That is why we are objecting to this clause. As I have already said I want the administrator only for a minimum time required. Whenever there is a stay order, or whenever an election is declared void, there should be an administrator. But he should be there only for a minimum period. About the appointment of an Advisory Council, we have got our own misapprehensions. We have no faith in this council. Because the Government can certainly use its own henchmen and hirelings in these Advisory Councils. Government will not see that the members of that council are the representatives of the people. It is our experience that whenever any nominations are made by the Government, it is purely on the basis of favourtism. Only Congressmen are appointed. Only their henchmen and hirelings and a large number of political unemployed persons in the ruling party are appointed. These political unemployed persons find a very good outlet in such advisory councils. This will help only those who are defeated in the elections. So, there is no need for this.

†Sri G. V. GOWDA (Palya).—Sir, the reasons given in the Bill for the appointment of administrator, are I should say a retrograde step and flimsy. The Government can no doubt appoint an administrator only in cases where there is no alternative or where it is inevitable and not in such cases where the Government can think of an alternative. If a Court were to issue a stay order there is no alternative left except to appoint an administrator. For other reasons the Government should conduct elections. When the term of a Municipality expires or the term has to be extended, what prevents the Government for conducting elections and why should they resort to the appointment of an administrator? No convincing reason is forthcoming. Therefore, I submit that though the Government have derived powers, they must be exercised judiciously and in the best interest of maintaining the democratic institutions.

Therefore, sub-clauses (*c*) and (*d*) must be removed, because it is likely there may be abuse of power. What prevents the Government from constituting a new municipality—there is no convincing

reason forthcoming for that. The intention of section 178-A is to take power to appoint Administrators; it is not the intention to constitute an Advisory Council. Nowhere is it contemplated. The main purpose of the Bill is to take power for the appointment of Administrators. It has been said that the Advisory Council may also be constituted, but it is not the purpose of the Bill. Therefore, I am suggesting that sub-clauses (*c*) and (*d*) may kindly be deleted. I hope that the Government would exercise the powers not only Judiciously, but also in the interest of the self-governing institutions. I request the Hon'ble Minister to use this power only if there is no other alternative.

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Sri K. PUTTASWAMY.—Sir, I am sorry I cannot accept any of the amedments moved by the Hon'ble Members.

Sri V. S. PATIL.—Moved an amendment for the deletion of the word 'authority' in sub-clause 2 (*b*). This word 'authority' is very necessary in this clause because, reference to competent authority in this clause is necessary since the election authority functioning under section 22 of the Bombay District Municipalites Act will not be a court. It has been held by the Bombay High Court that a Judge deciding an election petition under section 15 of the Bombay City Municipalities Act, is not a court but a persons designate, and his decision cannot be the subject of revision in the High Court. Consequently, it is very necessary to have a reference to the competent authority, in addition to the competent court in this clause. Therefore, this amendment cannot be accepted.

Then, in clause (*b*), he has sought the deletion of the words 'election of all the councillors'. His contention is that reference to more than two-thirds of the whole number of councillors would be sufficient and that it would include the expression 'election of all the councillors'. I am advised by the Law Dept. that it becomes very necessary because there may not be any Councillor at all. In such a case, this expression becomes very necessary.

Then, both Sriyuths V. S. Patil and †Sunthankar have moved for the deletion of sub-section(*c*). Then, the very object with which this Bill is brought will be frustrated. They do not like to have an Admistrator appointed; they do not like to see that an Administrator functions when there is a breakdown of municipal administration under the circumstances mentioned in the Bill. In fact, most of the arguments they have advanced are the arguments they have advanced when they spoke on the Bill. Therefore, I can not accept these amendments moved by them. Govt. has taken the power to appoint Administrators so that it can appoint them whenever it thinks it fit to do so. Even for that, the Hon'ble Members Sri V. S. Patil and Sri Sunthankar have moved amendments which are not acceptable. I cannot agree to any one of the amendments moved by them and I request that clause 2 as it is be passed.

MR. SPEAKER.—The question is:

"That item (*a*) shall be deleted. (Amendment No. 14)."

The motion was negatived.

MR. SPEAKER.—The question is:

"That in sub-section(1) (*a*) of the proposed section 178 A of the Bombay District Municipal Act, 1901, the words or 'authority' shall be delected. (Amendment No. 1)."

The motion was negatived.

MR. SPEAKER.—The question is:

"That in item (b) sub-clauses (b), (c) and (d) of the proposed section 178A shall be deleted."

The motion was negatived.

MR. SPEAKER.—The question is:

"That for sub-section (1) (b) of the proposed section 178 A of the Bombay District Municipal Act, 1901, the following shall be substituted.—

"(*b*) In the case of City Municipality, the election of more than 2/3 of the Councillors and in the case of any other Municipality, the election of the majority of the Councillors, has been declared by a competent court or authority to be void, or".

The motion was negatived.

MR. SPEAKER.—The question is:

"That sub-section (1) (c) of the proposed section 178A of the Bombay District Municipal Act, 1901, shall be deleted.

The amendment was negatived.

MR. SPEAKER.—The question is:

"That in item (b) last paragraph to sub-section (1) of the proposed section 178 A for the words "as may be specified /.................. appointment", the words "till the stay order of a competent court or authority is vacated or the new President is elected and takes over charge of his duties, as the case may be" shall be substituted.

The motion was negatived.

MR. SPEAKER.—The question is:

"That in sub-section (2) of the proposed section 178 A of the Bombay District Municipal Act, 1901, the words "and other authorities of the Municipality" in lines 5-6 shall be deleted."

The motion was negatived.

MR. SPEAKER.—The question is:

"That in item (b) sub-section (3) of the proposed section 178A shall be deleted.

The motion was negatived.

MR. SPEAKER.—The question is:

"That in sub-section (3) of the proposed section 178A of the Bombay District Municipal Act, 1901, for the words "may, if it thinks fit" the words "shall appoint" shall be substituted.

The motion was negatived.

MR. SPEAKER.—The question is:

"That in sub-section (3) of the proposed section 178 A of the Bombay District Municipal Act, 1901, the words "The members of the Advisory Council shall hold office during the pleasure of the State Government" shall be deleted."

The motion was negatived.

MR. SPEAKER.—The question is:

"That original Clause 3 stand part of the Bill.

The motion was adopted.

Original Clause 2 was added to the Bill.

Sri B. R. SUNTHANKAR.—Sir, I beg to move:

"That item (a) shall be deleted."

MR. SPEAKER.—Amendment moved:

"That item (a) shall be deleted.

Sri V. S. PATIL.—Sir, I beg to move:

"That in sub-section (1) (a) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "or authority" shall be deleted."

MR. SPEAKER.—Amendment moved:

"That in sub-section (1) (a) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "or authority" shall be deleted."

Sri B. R. SUNTHANKAR.—Sir, I beg to move:

"That in item (b) sub-clauses (c) and (d) of the proposed section 218 A shall be deleted."

MR. SPEAKER.—Amendment moved:

"That in item (b) sub-clauses (c) and (d) of the proposed sectiion 218 A shall be deleted."

Srl V. S. PATIL.—Sir, I beg to move:

"That sub-section (1) (c) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, shall be deleted."

MR. SPEAKER.—Amendment moved:

"That sub-section (1) (c) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, shall be deleted."

Sri V. S. PATIL.—Sir, I beg to move:

"That in sub-section (1) (d) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "all the Councillors, or" shall be deleted."

MR. SPEAKER.—Amendment moved:

"That in sub-section (1) (d) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "all the Councillors, or" shall be deleted."

Sri B.R. SUNTHANKAR.—Sir, I beg to move:

"That in item (b) sub-section (1) of the proposed section 218 A in the last paragraph for the words as may be specified....... appointment" the words "till the stay order of a competent court or authority is vacated or the new President is elected and takes over charge of his duties as the case may be" shall be substituted."

MR. SPEAKER—Amendment moved:

"That in item (b) sub-section (1) of the proposed section 218 A in the last paragraph for the words "as may be specified.... appointment" the words "till the stay order of a competent court or authority is vacated or the new President is elected and takes over charge of his duties, as the case may be" shall be substituted."

Sri V. S. PATIL.—Sir, I beg to move:

"That in sub-section (2) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "and other authorities of the Municipality" and "or any other Law" in lines 6-7 shall be deleted."

MR. SPEAKER.—Amendment moved:

"That in sub-section (2) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "and other authorities of the Municipality" and "or any other Law, in lines 6-7 shall be deleted."

Sri B.R. SUNTHANKAR.—Sir, I beg to move:

"That in item (b) sub-section (3) of the proposed section 218 A shall be deleted."

MR. SPEAKER.—Amendment moved:

"That in item (b) sub-section (3) of the proposed section 218 A shall be deleted."

Sri V. S. PATIL.—Sir, I beg to move:

"That in sub-section (3) of the proposed section 218-A of the Bombay Municipal Boroughs Act, 1925, for the words "may if it thinks fit" the words "shall" shall be substituted."

MR. SPEAKER.—Amendment moved:

"That in sub-section (3) of the proposed section 218-A of the Bombay Municipal Boroughs Act, 1925, for the words "may if it thinks fit "the words "shall" shall be substituted."

SRI V. S PATIL.—Sir, I beg to move:

"That in sub-section (3) of the proposed section 218-A of the Bombay Municipal Boroughs Act, 1925, the words "The members of the Advisory Council shall hold the office during the pleasure of the State Government" shall be deleted."

MR. SPEAKER.—Amendment moved:

"That in sub-section (3) of the proposed section 218-A of the Bombay Municipal Boroughs Act, 1925, the words "The members of the Advisory Council shall hold the office during the pleasure of the State Government" shall be deleted."

Both Clause 3 and all the amendments are open for debate.

†Sri V. S. PATIL.—Sir, I have expressed my views regarding similar amendments to the previous clause and I do not want to repeat them over again, but I would like to refer to only the other points which are covered by the present amendments. Amendment No. 12-"the members of the Advisory Council shall hold office during the pleasure of the State Government" is completely derogatary to any person who will be nominated to the Advisory Council. A person, even a Government servant, unless he contravenes some rules or provisions cannot be dismissed from the office. But, in this case, I think, there is no provision under any of the Municipal Acts that any of the Councillors or Advisory bodies shall hold the office of Councillors during the pleasure of the Government.

MR. SPEAKER.—Is not the provision there beneficial because Government can terminate them at any time and appoint them for a period?

Sri V. S. PATIL.—"During the pleasure of the Government", this term has come up from the Imperialistic Government- "during the pleasure of his Majesty". Those words are being repeated here by our rulers. I do not call them as 'white caps' because it has got a bad meaning. You call them Imperialists and that is why I am opposing. If you want to appoint an Advisory Council, let them work independently. That is my intention. That is why I am referring to the statement of objects and reasons. They have stated there as follows:—

"In the Mysore City Municipalities Act, 1933, and the Mysore Town Municipalites Act, 1951, provision has been made for appointment of a special officer on the expiry of the term of office of the Councillors if it is not practicable to hold a general election before the date of such expiry".

What are those provisions? Reference to this provisions will clearly show that in the Act of 1933 that is, when this area was governed

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by a monarch, he had given some limited powers to the people to govern their own affairs. During that regime, section 15 sub-section 2 says "to exercise the powers, discharge the duties and perform the functions of the Municipality and its president for such period not exceeding one year". Here the limitation is put for one year only, when his Highness was pleased to give the powers to the people during those old days.

Sri. K. PUTTASWAMY.—This amendment is not so old as 1933. Section 15 of the Mysore Municipalities Act was introduced subsequent to 1947.

Sri V. S. PATIL.—When these Congress people came to power, they have introduced these laws which overrides the provision of the powers given by his Highness long before or by the British Imperialists long before. Here, Sir, the period is restricted for one year. Section 17 of the Mysore Municipalities Act 1951 sub-section 2 says that such appointments may be made for a period not exceeding 2 years. In 1933 or 1947 Act, the period was fixed for one year and in 1951 it is extended to two years and not the period is unlimited. They want to usurp the power without any time limit. Is it proper, is it really democratic?

MR. SPEAKER.—Is it not limited to the period during which the administrator will function?

Sri. V. S. PATIL.—No. they can appoint an arbitrator continuously until the whole democratic institutions are smashed to pieces and the spirit of the people are smashed to pieces. That is the intention. For electing councillors or municipal bodies there is time limit. Even our Assembly can hold office during a particular period. Cabinet also can hold office during a particular period. Beyond that they cannot go. In this, arbitrators are appointed perpetually and there is no restriction at all.

MR. SPEAKER.—Sub-clauses (1) and (3) together, what is their combined effect?

Sri V. S. PATIL.—For the appointment of administrator there is no limitation. The Government can appoint an administrator for any number of years and this advisory council will continue along with the administrator. It is a presumption that the people are the owners of this country. They have to govern their affairs through their representatives. When they elect their representatives to govern the bodies, time-limit is placed such as 3 years or 4 years. But when the Government appoints a person, no time limit is placed. This is really absord We are going far far away from what is democracy and in these days, especially this Bill was brought by the Ruling Party with a view to smash down the Marathy people in Belgaum. But the time has changed. They are not prepared to consider the changed circumstances through which we are passing. The whole blame will be upon the Government if the people begin to feel dissatisfied and if there is any rift between this Goernment and the people. They say either we must rule or else let foreigners come and rule. That is why they do not want to give powers to the people. So far as the other amendment is concerned, amendment to sub-clause (2), I have suggested the deletion of 'other authorities of the municipality.' So far as elected element is concerned, *i. e.*, President, Vice-President and Committees, those powers may be vested with the Arbitrator. But what about the officers who are servants of the municipality? Take for instance

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Health Officer, Engineer, Chief Officer, etc. These Officers have been given independent powers under the Act and those powers also will be affected by this provision. Are these people to go home or to act according to the wishes and desires of the Arbitrator? This is completely derogatory and it smashes the very principle on which the Municipal Act has been passed by the Legislature and the Government. Everything will be in chaos if this provision is there because I think and I presume that the Hon'ble Minister means by the introduction of this Bill to have power of administrator to proceed with the actions of the Municipality that are vested in the General Body or the President and not in the other subordinate officers who have been given statutory rights to do particular duties. Even those rights will be affected if these provisions are not amended as suggested by me. Then, Sir, further I have tried to delete 'any other law'. Here Sir, municipal servant is charged with certain duty under different laws Take for instance, Vaccination Law. The Health Department or the Officers controlling the Health Department are charged with particular duty under different laws. By this provision even that authority which is imposed upon the servant will be taken away. So, I submit the sweeping powers which the Government is now asking for will smash to pieces the whole structure of the elected municipal body. Before independence, these very people were shouting that nominations are not required, they are not representatives of the people and nominations must be abolished. All this tall talk was there but now everywhere they want nominations. Why? some of my friends suggested that it was because there are so many unemployed congressmen and provision has got to be made for them. This is a very sorry state of affairs. I submit that by passing this Bill they are doing a great injustice not only to democracy but also to emergency conditions that are prevailing in our country. They are perpetuating dissensions among the people for which the Government itself is responsible.

5-30 P. M.

† Sri B.R. SUNTHANKAR.—Sir, this clause is directed against the Belgaum Municipality and that is why we are stoutly opposed to it. The immediate victim of this clause will be the Belgaum Municipality. That is the motive behind. That is our charge against this Government. In the statement of objects and reasons, it is stated that.

> "In the Udipi Town Municipality, a majority of the councillors resigned ....
> In Jamkhandi Municipality also a similar situation has arisen sometime back."

> "In the Belgaum Borough Municipality, the term of office of the councillors has recently expired."

In the statement of objects and Reasons, these three municipalities are stated. Out of these three municipalities, elections have already taken place and municipal bodies are functioning at Udipi and Jamkhandi. Only Belgaum city municipality remains.

MR. SPEAKER.—In Udipi, elections have been held and a new council has been constituted.

Sri B. R. SUNTHANKAR.—The first thing that I would bring to the notice of this Hon'ble House is the Bombay Municipalities and Boroughs Act of 1925. The very title of this Act is "An Act to give wider

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powers in the management of municipal affairs in certain cities." That was the very objective in 1925, when this Act was formed under the British regime. So, definitely the objective of the original Act is to give, not wide, but wider powers to the municipality. But this clause is striking at the very root of the objective of the original Act. This is against the principle of the original Act so formed.

Then about this expiry of term in the Belgaum Municipality, our charge against this Government is, this Government has deliberately allowed the term of the Belgaum Municipality to expire and deliberately the Government has seen that the new municipal body should not be constituted. Why I so charge is, under rule 12 framed under this very Act of 1925, it is the statutory obligation of the Deputy Commissioner to hold elections. For the benefit of the House, I am reading the rule.

> "A general municipal election shall be held between such hours and on such days and at such place or places as may be fixed by the Collector (*i. e.* the Deputy Commissioner)."

The Collector fixes the day, hour and place for the filing of nomination papers, fixing the dates of election, scrutinising the nominations, etc. So this rule makes it mandatory on the Deputy Commissioner to hold fresh elections as soon as the term of any municipality expires. But in the case of Belgaum, the Deputy Commissioner has not done that. He failed in his duty. It is dereliction of duty on the part of the Deputy Commissioner. He has not followed Rule 12, which is mandatory and which is a statutory obligation on the Deputy Commissoner..

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Government is responsible for that. What can the poor Deputy Commissioner do.

Then, Sir, you see, the Belgaum Municipality was not keeping quiet on this matter. The term of the Municipality expired on 20th February 1962. But previous to that, nearly two months before that date, on 12th December 1962, the President of the Belgaum Municipality requested the Deputy Commissioner to hold elections and sent a draft programme of elections to be held by the Belgaum Municipality. No reply was received by the Municipality for that correspondence. The municipal deputation waited on the Chief Minister and the Minister for Local Self-Government at the time, and reqested him to extend the term of office, as Government was not in a mind to hold fresh elections. The deputation of the Municipality was given sympathetic hearing and they were told that sympathetic consideration would be given to the request. So after that the municipality or the Deputy Commissioner received no reply from the Government. But there was an assurance that Govenment may favourably concider and the term be extended, by one year. So, on that assurance, the municipality again requested the Government that the draft programme of elections be held over. Then, time passed. Then again on 2-2-1962, as the municipality did not receive any reply from the Government, the Municipal President referred the matter to the Deputy Commissioner seeking his advice, and requesting him to hold fresh elections. But no reply was received by the Municipality till the 20th February 1962, which was the last date of the Belgaum Municipality's time to expire. Even, in spite of the request and on behalf of the municipality, the Deputy Commissioner or the

Government did not hold elections. They have deliberately done it. Because, Sir, as has already been pointed out, the Belgaum municipality is in the hands of the Marathi people. That is an eye-sore in the eyes of this Government. It could not be held. Even if fresh elections are held, it is our challenge to this Government that this municipality will always be controlled by the Marathis. I may tell this Hon'ble House, that before this dispute began, long ago, you see, the president and the Vice-President of the Belgaum Municipality were Kannadigas. But after the States Reorganisation, this dispute has particularly cropped up and it is rankling in our minds. Government wants that this municipality should not function. They want to smash this municipality as rightly described by Mr. Patil.

MR. SPEAKER — (Addressing Sri Sunthankar) Do you think we should apply the guillotine? If you go on in this leisurly fasion, we will not be able to finish it today and even tomorrow.

Sri B. R. SUNTHANKAR.—I will finish it within time.

MR. SPEAKER.—Always extending time.

Sri B. R. SUNTHANKAR.—As for the administration, I think the Government has almost decided to appoint an administrator. The records of the Municipality for the last so many years has been in Marathi. Now, there is a move on the part of the Congress Kannadigas of Belgaum that it should be converted into Kannada. They want Kannada in Belgaum municipality. Through the administrator, they want to impose Kannada on the Belgaum municipality. That is the motive behind it.

Sri K. PUTTASWAMY.—Because it is a Kannada country, we expect the municipality to be loyal to the Kannada country.

Sri B. R. SUNTHANKAR.—The Hon'ble Minister is entering into a different subject and I will have an occasion to reply to that.

As far as the appointment of administrator is concerned, we have some experience. The Belgaum Municipality asked for a qualified Health Officer because it was not getting a properly qualified Health Officer. What did the government do? The Government has sent an ordinary L. M. P. doctor as a Health Officer to the Belgaum Municipality. The municipality wanted a qualified person. They have sent one ordinary qualified person. Similarly about this advisory council, I may tell the House that as soon as the Bill was published in the gazette, the Belgaum District Congress Committee had a meeting and they welcomed this measure to spite the marathi speaking population there. A Grama Sudaraka Mandal was formed consisting of members outside the place. What was the object? It was with the object that the members of that Mandal should be made the further members of the Advisory Council. That is why we have not accepted that. I regret very much that the Hon'ble Minister cannot realise what harm to democracy is done by bringing in this amending Bill. Unfortunately he comes from old Mysore where Local Self-Government movement was spoon-fed. That is why he is unable to understand the problem. He cannot realise the democratic rights of the municipal institutions. I request him to look to the modern times and to the great experiment of democracy which we have launched in this country and why we are fighting the Chinese today–to protect democracy. In this time of emergency we must look to the interest of

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democracy first. The Chinese are not attacking our frontier alone but they are attacking our very democracy. That is why the nation has stood united to defend the democracy. But, here unfortunately the minister has come forth with this Bill which strikes at the very root of democracy. I hope the Hon'ble Minister will withdraw the Bill.

I may again remind the Government that this Bill, if it is passed is going to sow the seeds of discontentment in the Marathi area and particulariy in Belgaum town. As soon as this was published this has agitated the minds of the people there and if it is passed it will distrub the peace of that area. In any such case the Government is responsible.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ಸ್ವಾಮಿ, ಮಾನ್ಯ ಸದಸ್ಯರಾದ ವಿ. ಎಸ್. ಪಾಟೀಲರು ಮತ್ತು ಸುಂತಣಕರ್‌ರವರು ಮಾಡಿದ ದೀರ್ಘವಾದ ಭಾಷಣವನ್ನು ಕೇಳಿದೆ. ಒಂದು ವಿಚಾರವನ್ನು ಅವರಿಗೆ ಸ್ಪಷ್ಟಪಡಿಸಬೇಕೆಂಬ ಅಭಿಲಾಷೆಯಿದೆ. ಇದುವರೆಗೆ ಅವರು ಹಾಕಿರುವ ಬೆದರಿಕೆಗೆ ಸರ್ಕಾರ ಮಾತ್ರ ಬಗ್ಗುವುದಿಲ್ಲ ಎಂದು ನಾನು ಖಚಿತವಾಗಿ ಹೇಳಬೇಕೆಂದಿದ್ದೇನೆ. ಸಂಸ್ಥಾನಗಳ ಪುನರ್ವಿಂಗಡಣೆಯಾದ ಮೇಲೆ 1956ರಿಂದ ಇವತ್ತಿನವರೆಗೂ ಕೂಡ ಅವರು ಬೆಳಗಾಂ ಜಿಲ್ಲೆಯಲ್ಲಿ ಸಾಕಷ್ಟು ಜನರಲ್ಲಿ ಬೇಧವನ್ನುಂಟುಮಾಡುವುದಕ್ಕೆ ಪ್ರಯತ್ನಪಟ್ಟಿದ್ದಾರೆ, ಆ ಕೆಲಸದಲ್ಲಿ ವಿಫಲರಾಗಿ ಪುನಃ ಅದೇ ದಾರಿಯಲ್ಲಿ ಮುಂದುವರಿಯುತ್ತಿದ್ದಾರೆ ಎಂದು ಸ್ಪಷ್ಟಪಡಿಸುವುದಕ್ಕೆ ಇಚ್ಛಿಸುತ್ತೇನೆ. ಇಂಥ ವಿಭಿನ್ನತೆಯಿಂದ ಅವರಿಗೆ ಯಾವ ಸಹಾಯವೂ ಆಗುವುದಿಲ್ಲ.

ಈ ಮಸೂದೆಯ ಮೇಲೆ ಬಹಳ ದೀರ್ಘವಾದ ಭಾಷಣ ಮಾಡುತ್ತಾ ಸರ್ಕಾರಕ್ಕೆ ಪ್ರಜಾಸತ್ತೆಯಲ್ಲಿ ಅಷ್ಟೊಂದು ವಿಶ್ವಾಸವಿಲ್ಲ, ಮೈಸೂರಿನ ಕೆಲವು ಭಾಗಗಳಲ್ಲಿ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳಿಗೆ ಸ್ವಾತಂತ್ರ್ಯ ಕೊಟ್ಟಿಲ್ಲ. ಅಲ್ಲಿ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಆಡಳಿತ ಸರಿಯಾಗಿ ಬೆಳೆದಿಲ್ಲ ಎಂದು ಹೇಳಿದರು. ಮೈಸೂರು ದೇಶದಲ್ಲಿ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಆಡಳಿತ ಬೆಳಗಾಂನಲ್ಲಿರುವುದಕ್ಕಿಂತ ಕಡಮೆಯಿಲ್ಲದಂತೆ ಬೆಳೆದಿದೆ. ಈ ದೇಶದಲ್ಲಿ ಮೊದಲಿಂದಲೂ ಕೂಡ ಸ್ಥಳೀಯ ಸಂಸ್ಥೆಗಳ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರ ಪೋಷಿಸಿಕೊಂಡು ಬಂದಿದೆಯೆಂದು ಸ್ಪಷ್ಟಪಡಿಸುತ್ತೇನೆ. ಅವರು ಈ ಮಸೂದೆಯ ಮೇಲೆ ಭಾಷಣ ಮಾಡಿದಾಗ ಮತ್ತು ತಿದ್ದುಪಡಿಯ ಮೇಲೆ ಮಾತನಾಡುವಾಗ ಬೆಳಗಾಂ ಪಟ್ಟಣದ ಪುರಸಭೆಯ ಆಡಳಿತವನ್ನು ಸರ್ಕಾರ ಹತೋಟಿಗೆ ತೆಗೆದುಕೊಳ್ಳುವ ಉದ್ದೇಶದಿಂದಲೇ ಈ ಮಸೂದೆಯನ್ನು ತಂದಿದೆ ಎಂಬ ಭಾವನೆಯ ಮೇಲೆ ಅಭಿಪ್ರಾಯ ವ್ಯಕ್ತಪಡಿಸುತ್ತಿದ್ದರು. ಎರಡನೆಯ ಸೆಕ್ಷನ್‌ನಲ್ಲಿ ಯಾವ ತತ್ವ ಅಡಕವಾಗಿದೆಯೋ ಅದೇ ತತ್ವ ಮೂರನೆಯ ಸೆಕ್ಷನ್‌ನಲ್ಲಿ ಕೂಡ ಇದೆ. ಆದುದರಿಂದಲೇ ಮಾನ್ಯ ಸದಸ್ಯರು ಮೂರನೆಯ ಸೆಕ್ಷನ್ ತಿದ್ದುಪಡಿಯ ಮೇಲೆ ಮಾತನಾಡುವುದಕ್ಕೆ ಬದಲಾಗಿ ಬೆಳಗಾಂ ಪುರಸಭೆ ಎಷ್ಟು ಪ್ರಾಚೀನವಾದುದು, ಅದರ ಅಧಿಕಾರವೆಷ್ಟು, ಸರ್ಕಾರ ಅದನ್ನು ಹೇಗೆ ಮೊಟಕು ಮಾಡಿದೆ ಎಂದು ಹೇಳುತ್ತಿದ್ದರು.

ಅವರು ಒಂದು ವಿಚಾರವನ್ನು ಮರೆತಿದ್ದಾರೆ. ಫೆಬ್ರವರಿಗೆ ಮುಂಚೆ ಆ ಪುರಸಭೆಗೆ ಎಷ್ಟು ಸಾರಿ show cause notice ಕೊಟ್ಟಿದ್ದಾರೆಂಬುದನ್ನು ಮರೆತಿದ್ದಾರೆ. ಹೀಗೆ ಕೊಟ್ಟಿದ್ದರೂ ಆಡಳಿತವನ್ನು ಸರಿಪಡಿಸದೆ ಮತ್ತೊಂದು ವರ್ಷ ಜೀವದಾನವನ್ನು ಕೇಳುತ್ತಾ ಬಂದರು. ಹೀಗೆ ಆಡಳಿತವನ್ನು ಸರಿಯಾಗಿ ನಡೆಸದೇ ಇರುವ ಸಭೆಗೆ ಅದರ ಅವಧಿಯನ್ನು ವಿಸ್ತರಣೆ ಮಾಡಬಾರದೆಂದು ಸರ್ಕಾರದವರು ಪುನಃ ಕಾಲ ವಿಸ್ತರಣೆಯನ್ನು ಕೊಡಲಿಲ್ಲ. ಅದೇ ವಿಚಾರವನ್ನು ಅವರು ಪದೇಪದೇ ಪ್ರಸ್ತಾಪ ಮಾಡುತ್ತಿದ್ದಾರೆ.

Sri B. R. SUNTHANKAR.—Why should we not supersede if there are grounds?

Sri K. PUTTASWAMY.—If things go bad, it will be superseded.

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ಮಹಾರಾಷ್ಟ್ರ ಏಕೀಕರಣ ಸಮಿತಿಯ ಸದಸ್ಯರ ಆಗ್ರಹವನ್ನು ಆರು ವರ್ಷಗಳಿಂದ ಈ ಸಭೆಯಲ್ಲಿ ನಾವು ಸಾಕಷ್ಟು ನೋಡಿದ್ದೇವೆ. ಅವರು ಈ ರೀತಿ ಮಾಡುವುದರಿಂದ ಯಾವ ಜನರನ್ನು ಅವರು ಪ್ರತಿನಿಧಿಸುತ್ತಾರೋ ಆ ಜನರ ಕ್ಷೇಮವನ್ನು ಉತ್ತಮ ಪಡಿಸಿದಂತಾಗುವುದಿಲ್ಲ. ಈ ಸ್ಥಿತಿಯಲ್ಲಾದರೂ ಅವರ ನಿಲುವನ್ನು ಬದಲಾವಣೆ ಮಾಡಿಕೊಳ್ಳಬೇಕೆಂದು ಸೂಚಿಸುತ್ತೇನೆ. ಅವರು ತಂದಿರುವ ಯಾವ ತಿದ್ದುಪಡಿಯನ್ನೂ ಒಪ್ಪುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಈಗಿರುವಂತೆಯೇ 3ನೇಯ ಕ್ಲಾಜನ್ನು ಸಭೆ ಒಪ್ಪಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ.

Sri V. S. PATIL.—On a point of explanation, Sir. The Hon'ble Minister said that the Municipality has requested for extension of time or of life; but as the administration was not good, Government did not accede to it. May I know from the Hon'ble Minister, if the administratson was not good, whether there is any provision in the Act or the Rules framed by Government under it not to extend the time? What are the remedies that are incorporated in this Act if the administration is not good?

ಶ್ರೀ ಕೆ. ಪುಟ್ಟಸ್ವಾಮಿ.—ಆಡಳಿತವನ್ನು ಸಮರ್ಪಕವಾಗಿ ನಡೆಸದಿರುವಾಗ ಅದರ ಅಧಿಕಾರವನ್ನು ವಿಸ್ತರಣೆ ಮಾಡದೇ ಇರುವುದು ಅದರ ಅಂತ್ಯವನ್ನು ತರುವುದಕ್ಕೆ ಒಂದು ಮಾರ್ಗ.

MR. SPEAKER.—The question is :

"That item (*a*) shall be deleted."

The Motion was negetived.

MR. SPEAKER.—The question is :

"That in sub-section (1) (*a*) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "or authority" shall be deleted."

The motion was negatived.

MR. SPEAKER.—The question is :

"That in item (*b*) sub-clauses (*c*) and (*d*) of the proposed section 218 A shall be deleted.

The motion was negatived.

MR. SPEAKER.—The question is :

"That sub-section (1) (*c*) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, shall be deleted."

The motion was negatived.

MR. SPEAKER.—The question is :

"That in sub-section (1) (*d*) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "all the Councillors, or" shall be deleted."

The motion was negatived.

MR. SPEARER.—The question is :

"That in item (*b*) sub-section (1) of the proposed section 218 A in the last paragraph for the words "as may be specified·······appointment", the words "till the stay order of a competent court or authority is vacated or the new President is elected and takes over charge of his duties, as the case may be" shall be substituted."

The motion was negatived.

MR. SPEAKER.—The question is:

"That in sub-section (2) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, the words "and other authorities of the Municipality" and "or any other Law" in lines 6-7 shall be deleted."

The motion was negatived.

MR. SPEAKER.—The question is :

"That in item (*b*) sub-section (3) of the proposed section 218 A shall be deleted.

The motion was negatived.

MR. SPEAKER.—The question is :

"That in sub-section (3) of the proposed section 218 A of the Bombay Municipal Boroughs Act, 1925, for the words "may if it thinks fit" the words "shall" shall be substituted."

The motion was negatived.

MR. SPEAKER.—The question is :

"That in sub-section (3) of the proposed section 218A of the Bombay Municipal Boroughs Act, 1925, the words "The members of the Advisory Council shall hold the office during the pleasure of the State Government" shall be deleted.

The motion was negatived.

MR. SPEAKER.—The question is :

"That clause 3 do stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Sri B. R. SUNTHANKAR.—I do not want to move my amendments to clauses 4, 5, 6 and 8.

MR. SPEAKER.—The question is :

"That clause 4 do stand part of the Bill.

The motion was adopted.

Clause 4 was added to the Bill.

MR. SPEAKER.—The quetion is:

"That clause 5 do stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

MR. SPEAKER.—The question is:

"That clause 6 do stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

MR. SPEAKER.—The question is:

"That clause 7 do stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

MR. SPEAKER.—The question is:

"That clause 8 do stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clauses 9 and 10

MR. SPEAKER.—The question is:

"That clauses 9 and 10 stand part of the Bill."

The motion was adopted.

Sri K. PUTTASWAMY.—Sir, I beg to move:

"That for sub-clause (2) to clause (1) the following sub-clause shall be substituted."

"(2) It shall come into force at once."

MR. SPEAKER.— Amendment moved:

"That for sub-clause (2) to clause (1), the following sub-clause shall be substituted."

"(2) It shall come into force at once."

Sri K. PUTTASWAMY.—The contingency which necessitated the original sub-clause ceases to exist and therefore I have moved amendment.

Sri G. V. GOWDA.—There is an alternative in the Mysore Municipal Act, whereas there is no such provision in Madras and Bombay. So, I do not know the reason for incorporating this amendment. In sub-clause (2) page 502, it is stated as follows:

"If in the opinion of the Goverment it is not praticable to hold a general election before the date of expiry of the term of office of the councillors, the Government may appoint with effect from the said date a Special Officer for the Municipal council........"

Mr. SPEAKER.—So far as this Bill is concerned, the Act must say when it will come into force.

Sri G. V. GOWDA.—He was right in saying so far as the amendments in respect of other Acts are concerned, that they should come into force at once. The amendment now proposed to the amendment by him also brings section 6 into force at once. I am opposed to this because there is already a provision and no harm will be done if it is given effect to.

MR. SPEAKER.—What is the present amendment? If the original sub-clause (2) of Clause 1 is to be deleted, when it will come into force?

Sri G. V. GOWDA.—It will come into force at once, and section 6 shall come into force on such date as the State Government may by notification in the official Gazette appoint.

Sri K. PUTTASWAMY.—I think the argument that my learned friend advancing is rather belated. In fact, section 5 has already been passed by the House. My present amendment to sub-clause (2) of clause 1 is only to the effect that the provisions of this amendment

(Sri K. PUTTASWAMY).

will come into effect immediately. If he had only advanced those arguments when the House was considering clause 6, I would have met. Now it is unnecessary for me to meet those arguments.

MR. SPEAKER.—The question is:

"That for Sub-Clause (2) to clause (1), the following sub-clause shall be substituted.

"(2). It shall come into force at once."

The motion was adopted.

Sub-clause (2) as amended was added to the Bill.

MR. SPEAKER.—The question is :

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

"Clause 1, as amended was added to the Bill.

MR. SPEAKER.—The question is:

"That the Preamble and the Title of this Bill do form part of the Bill."

The motion was adopted.

Preamble and Title were added to the Bill.

Motion to pass.

Sri K. PUTTASWAMY.—Sir, I beg to move :

"That the Mysore Municipal Laws (Amendment) Bill, 1962, as amended be passed."

Sri B. R. SUNTHANKAR.—Sir, as a protest against the Government's attitude and as Government is flouting on democratic principles, we the members of the Maharastra Ekikarna Samithi are staging a walk-out.

The members stayed a walkout.

MR. SPEAKER.—The question is:

"That the Mysore Municipal Laws (Amendment) Bill, 1962, as amended be passed."

The motion was adopted.

MR. SPEAKER.—The Bill is passed. The House will now rise to re-assemble to-morrow at 1 P.M.

The House adjourned Six Minutes past Six of the Clock to meet again at One of the Clock on Wednesday, the 12th December 1962.

WD 175—GBPC—900-31-7-63.